

Bill have carefully examined and compared Senate Concurrent Resolution No. 20, copy of which is hereto attached, and find it correctly enrolled, and have this day at 11 o'clock, a. m. presented the same to the Governor for his approval.

SMITH, Chairman.

By Carlock. S. C. R. No. 20.

Whereas, the Honorable Ben. M. Terrell, Judge of the Sixty-seventh District Court, will in all probability be compelled to be absent from the State during the months of July and August of the present year, and also the months of July and August of 1920, due to the serious illness of his wife; therefore, be it

Resolved, by the Legislature of the State of Texas, That leave is hereby granted to the said Honorable Ben. M. Terrell to be absent from the State of Texas during the months named.

Committee Room,

Austin, Texas, July 16, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Enrolled Bill have carefully examined and compared Senate Concurrent Resolution No. 22, copy of which is hereto attached, and find it correctly enrolled, and have this day at 11 o'clock a. m. presented the same to the Governor for his approval.

SMITH, Chairman.

By Smith. S. C. R. No. 22.

Whereas, it is necessary that Hon. P. O. Beard, Judge of the Seventy-first Judicial District of the State of Texas, be absent from the State during the month of August this year, and the month of July and August, 1920; therefore, be it

Resolved, by the Senate of Texas, the House of Representatives concurring, That leave of absence be granted the said Judge P. O. Beard, Judge of the Seventy-first Judicial District, for the month of August, 1919, and also the months of July and August, 1920.

## TWENTIETH DAY.

Senate Chamber,  
Austin, Texas,

Thursday, July 17, 1919.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor W. A. Johnson.

The roll was called, a quorum being present, the following Senators answering to their names:

Alderdice.	Hertzberg.
Bailey,	Hopkins.
Buchanan of Bell.	Johnston.
Buchanan of Scurry.	McNealus.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Cousins.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Witt.
Floyd.	Woods.
Hall.	

Absent—Excused.

Gibson.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Faust.

## Petitions and Memorials.

See Appendix.

## Standing Committee Report.

See Appendix.

## Simple Resolution No. 30.

Whereas, by Chapter 166, page 377 of the Acts of the Regular Session of the Thirty-fifth Legislature the Comptroller of Public Accounts was authorized to employ special agents or attorneys to collect the inheritance taxes and to pay for such service not more than 10 per cent of the amount of taxes collected as compensation; and

Whereas, by Chapter 164, page 318 of the Acts of the Regular Session of the Thirty-sixth Legislature, the law relating to the collection of inheritance taxes was amended so as

to eliminate the provision authorizing the employment of special agents or attorneys to collect inheritance taxes and placing the collection of such inheritance taxes in the hands of district and county attorneys and county judges, which law became effective on June 18, 1919; and

Whereas, in obedience to a resolution duly passed by this Senate the Comptroller has furnished a statement of all estates that have paid inheritance taxes since the 19th of February, 1919, together with the amount of taxes paid, the date of payment, the amount of compensation paid for the collection thereof and to whom such compensation was paid, which statement shows that since the said 19th day of February, 1919, said special agents received as compensation for their said services the sum of \$43,266.53, of which amount the sum of \$225.04 was paid to R. B. Humphreys and the sum of \$43041.19 was paid to Smith and Woodall of Austin, Texas; and

Whereas, said statement shows that the sum of \$4,298.91 of said sum of money was paid to the said Smith and Woodall on taxes collected subsequent to the 18th day of June, 1919; therefore be it

Resolved, by the Senate of Texas,

That the statement so furnished by the Comptroller, which is hereto attached, be printed in the Senate Journal and that the Attorney General be requested to report whether or not the agents so employed by

the Comptroller are entitled to 10 per cent commission on taxes that were paid subsequent to the 18th day of June, 1919, and if they should be entitled to such commission under any circumstances, state the manner in which it should be determined whether or not they are entitled to such commission and the amount thereof and if they were not and are not entitled to such commission that the Attorney General be and he is hereby requested to take such steps as may be necessary to recover the amount of commission that has been illegally paid to such agents, either from the agents themselves or the officer who wrongfully paid the same.

Be it further resolved, That the tax collectors of the various counties of Texas be requested to remit all inheritance taxes collected less the fees to which local officers are entitled to the State Treasurer in accordance with Article 7498 of the Revised Civil Statutes of 1911, and not pay any amount thereof to any agent or agents and that a marked copy of the Senate Journal containing this resolution and said statement be sent to the mailing clerk of the Senate to all tax collectors and all county attorneys in the State of Texas.

HOPKINS.

The resolution was read and adopted.

#### EXHIBIT A.

List of inheritance tax reported to the Comptroller's Office since February 24, 1919, by the tax collectors of the State, covering collections made prior to and since that date, and showing commissions allowed and paid by the collectors before remittance was made to the State, as provided by Acts of the Thirty-fifth Legislature.

Name of Estate.	Amt.	Date Paid.	Agents Fee.	To Whom.
Elizabeth Blocker. . . . .	\$ 182.40	2-19-19	\$ 18.24	Smith & Woodall
W. C. Peters. . . . .	20.00	2-19-19	2.00	Smith & Woodall
Adelaide A. Munson	20.00	2-19-19	2.00	Smith & Woodall
Geo. Upson. . . . .	45.52	2-19-19	4.55	Smith & Woodall
Lida C. Norling. . . . .	23.21	2-19-19	2.32	Smith & Woodall
Lida C. Norling. . . . .	23.22	2-19-19	2.32	Smith & Woodall
Jake Wolff. . . . .	180.00	2-19-19	18.00	Smith & Woodall
Jake Wolff. . . . .	110.00	2-19-19	11.00	Smith & Woodall
Jake Wolff. . . . .	20.00	2-19-19	2.00	Smith & Woodall
Jake Wolff. . . . .	20.00	2-19-19	2.00	Smith & Woodall
Jake Wolff. . . . .	20.00	2-19-19	2.00	Smith & Woodall
Jake Wolff. . . . .	80.00	2-19-19	8.00	Smith & Woodall
Jake Wolff. . . . .	20.00	2-19-19	2.00	Smith & Woodall

Name of Estate.	Amt.	Date Paid.	Agents Fee.	To Whom.
Jake Wolf. . . . .	\$ 3,560.28	2-19-19	\$ 356.03	Smith & Woodall
C. T. Kline. . . . .	306.08	2-25-19	30.61	Smith & Woodall
C. T. Kline. . . . .	110.72	2-25-19	11.07	Smith & Woodall
C. T. Kline. . . . .	110.72	2-25-19	11.07	Smith & Woodall
T. S. Millen. . . . .	2,253.39	1- 3-19	225.34	R. B. Humphreys
H. B. Brown. . . . .	14.73	1-26-19	1.47	Smith & Woodall
Clarisa I. Sage. . . . .	3.50	3-28-19	.....	—None—
Seline Lichbuslin ..	204.75	3- 3-19	20.47	Smith & Woodall
Oscar Lovinskiold. .	264.52	3- -19	26.45	Smith & Woodall
Sofia Rogerson. . . .	84.22	2-20-19	8.42	Smith & Woodall
Sofia Rogerson. . . .	80.33	2-20-19	8.03	Smith & Woodall
Sofia Rogerson. . . .	228.34		22.83	Smith & Woodall
Ross Pargitt. . . . .	1,164.85	2-14-19	116.49	Smith & Woodall
Harvey Armstrong .	1,555.00	2- 8-19	155.50	Smith & Woodall
Harvey Armstrong..	1,346.07	2- 2-19	134.60	Smith & Woodall
Mrs. B. Babcock ..	27.72	11-16-18	2.77	Smith & Woodall
Sudie Wall Crowler.	21.14	11-20-18	2.11	Smith & Woodall
J. W. Morgan. . . . .	24.50	11-12-18	2.45	Smith & Woodall
H. L. Templeton ...	21.65	12-27-18	2.17	Smith & Woodall
H. L. Templeton ...	21.65	12-27-18	2.17	Smith & Woodall
H. L. Templeton ...	21.65	12-27-18	2.17	Smith & Woodall
H. L. Templeton ...	21.65	12-27-18	2.17	Smith & Woodall
Leroy Martin. . . . .	1,219.67	3- 8-19	.....	—None—
Giza Popper. . . . .	710.28	3- 1-19	71.00	Smith & Woodall
Mrs. Bertha Henniger	141.16	2-17-19	14.11	Smith & Woodall
Mrs. John C. Roberts	152.62	2-18-19	15.26	Smith & Woodall
James Johnson. . . .	688.32	3-15-19	68.83	Smith & Woodall
Margarite V. McKee	160.00	2-18-19	16.00	Smith & Woodall
J. B. Bell. . . . .	592.66	3-30-19	.....	—None—
Agnes Weathered ..	36.35	3-22-19	3.63	Smith & Woodall
Miss Anna Bennett.	146.00	3-24-19	14.60	Smith & Woodall
T. B. Cleaver. . . . .	286.20	3-25-19	28.62	Smith & Woodall
A. J. Simon. . . . .	140.38	3-10-19	14.03	Smith & Woodall
A. J. Simon. . . . .	140.38	3-10-19	14.03	Smith & Woodall
Louis Ulrich. . . . .	490.00	3-14-19	49.00	Smith & Woodall
Louis Lurich. . . . .	20.00	3-14-19	2.00	Smith & Woodall
Julia Clements. . . .	47.37	2-22-19	4.73	Smith & Woodall
G. C. Gates. . . . .	219.00	3- 4-19	21.90	Smith & Woodall
Helen Birdella Bell.	120.00	3-12-19	12.00	Smith & Woodall
John Clovidman. . . .	10.00	3-22-19	.....	—None—
John A. Clovidman.	10.00	3-22-19	.....	—None—
John A. Clovidman.	1,514.09	3-22-19	.....	—None—
Isabella Miller. . . .	32.00	3-11-19	3.20	Smith & Woodall
G. W. Tankersly. . . .	380.00	3-27-19	38.00	Smith & Woodall
Daniel Lumpkin. . . .	36.45	2- 5-19	3.65	Smith & Woodall
G. W. Self. . . . .	80.00	3- 1-19	8.00	Smith & Woodall
Mrs. Nola Davis. . . .	60.00	2- 5-19	6.00	Smith & Woodall
Christine Muller ..	79.06	3-15-19	7.90	Smith & Woodall
Jno. W. Campbell ..	246.82	4- 4-19	24.68	Smith & Woodall
Dora Patternson ..	881.09	4-22-19	88.10	Smith & Woodall
Jennie W. Jackson ..	74.14	4-18-19	7.41	Smith & Woodall
Jennie W. Jackson.	20.00	4-18-19	2.00	Smith & Woodall
Mrs. Mary E. Howard	30.00	4- 9-19	3.00	Smith & Woodall
Geo. Frederick Brage	465.00	4- 7-19	46.50	Smith & Woodall
Mrs. Lillie Terry ..	105.00	4- 7-19	10.50	Smith & Woodall
S. W. S. Duncan. . . .	60.00	4- 3-19	6.00	Smith & Woodall
S. A. Shortridge ..	60.00	5- 9-19	6.00	Smith & Woodall
J. J. Hoffman. . . . .	19.84	5- 8-19	.....	—None—
W. H. Campbell. . . .	494.33	5- 6-19	49.43	Smith & Woodall
Geo. Calloway. . . . .	92.10	5 6-19	9.21	Smith & Woodall
Geo. Calloway. . . . .	92.10	5 5-19	9.21	Smith & Woodall
Geo. Calloway. . . . .	92.10	5 6-19	9.21	Smith & Woodall

Name of Estate.	Amt.	Date Paid.	Agents Fee.	To Whom.
E. J. Wilson .....	\$ 23.68	5-14-19	\$ 2.36	Smith & Woodall
T. M. Jeanes .....	157.05	5-12-19	15.70	Smith & Woodall
A. W. Crawford .....	2,321.47	2-19-19	23.21	Smith & Woodall
A. W. Crawford .....	2,321.47	2-19-19	23.21	Smith & Woodall
Eugene T. Bates .....	20.52	3-20-19	2.05	Smith & Woodall
Mrs. Johnie Manay ..	934.50	4-22-19	93.45	Smith & Woodall
W. P. Johnson .....	88.93	4-16-19	8.89	Smith & Woodall
T. H. McCloskey .....	93.33	5-19-19	9.24	R. B. Humphreys
T. H. McCloskey .....	93.33	5-19-19	9.24	R. B. Humphreys
T. H. McCloskey .....	279.99	2-19-19	27.72	R. B. Humphreys
Mrs. H. E. Hamil .....	70.50	5- 1-19	6.97	Smith & Woodall
W. S. Douglas .....	679.84	5-26-19	67.98	Smith & Woodall
Mamie Reynolds .....	295.52	5-27-19	....	None
Claude Wiley .....	815.00	1-28-19	81.50	Smith & Woodall
Bell Scromor .....	922.50	5-31-19	92.34	Smith & Woodall
Josie Mitchell .....	51.68	5-31-19	5.17	Smith & Woodall
Neubough, Mrs. L. H.	107.38	11- 9-18	....	None
Marin Douglas .....	28.75	6- 2-19	2.84	Smith & Woodall
C. F. Kleine .....	286.82	5-22-19	28.68	Smith & Woodall
H. B. Garrett .....	336.00	5- 6-19	33.60	Smith & Woodall
M. J. Mortis .....	182.00	6- 3-19	18.20	Smith & Woodall
Margaret Peth .....	294.00	5 14-19	29.40	Smith & Woodall
Francis L. Lee .....	180.00	6- 3-19	18.00	Smith & Woodall
Ada Risher .....	29.80	5 16-19	2.98	Smith & Woodall
Jno. Pylens .....	110.27	6 5-19	11.03	Smith & Woodall
John Strobel .....	120.00	6- 4-19	12.00	Smith & Woodall
Geo. Pelops .....	71.60	5- 6-19	7.16	Smith & Woodall
Sylvester Perales .....	51.32	6 2-19	5.08	Smith & Woodall
Carl Koppel .....	69.02	6- 7-19	6.90	Smith & Woodall
Andras Schubert .....	201.60	6- 7-19	20.16	Smith & Woodall
Wm. D. Ellis .....	1,310.00	6- 9-19	131.00	Smith & Woodall
Mattie Kellogg .....	84.00	6-12-19	8.40	Smith & Woodall
James Rutledge .....	257.00	6- 4-19	25.70	Smith & Woodall
P. B. Franklin .....	803.20	6-12-19	80.32	Smith & Woodall
James A. Fischer .....	360.00	6-23-19	36.00	Smith & Woodall
Jno. Kowicka .....	49.60	6 23-19	4.96	Smith & Woodall
T. M. Grissom .....	368.14	....	36.81	Smith & Woodall
Francis E. Abney .....	127.32	6-28-19	....	None
F. H. Mauzy .....	640.00	6-20-19	64.00	Smith & Woodall
Simon Frank .....	4,720.63	6 28-19	472.08	Smith & Woodall
Jarnott O. Jones .....	2,303.71	6- 2-19	....	None
Ella Jane Burton .....	36.79	6-10-19	3.68	Smith & Woodall
Isaac Sanger .....	34,769.22	6-21-19	3,476.92	Smith & Woodall
Netta Flowerday .....	139.80	6 10-19	13.98	Smith & Woodall
Miss Minna Martin ..	120.00	7- 3-19	12.00	Smith & Woodall
C. C. Brooks .....	468.02	6-25-19	46.80	Smith & Woodall
Clyde M. Coffey .....	880.00	6-14-19	88.00	Smith & Woodall
R. O. Francis .....	100.81	7- 5-19	10.38	Smith & Woodall
F. L. Montgomery .....	31.20	7- 6-19	3.12	Smith & Woodall
Pauline Bruening .....	154.14	7- 7-19	....	None
Clint Crawford .....	350.79	6-27-19	35.07	Smith & Woodall
L. F. Gilbert .....	2,396.90	5-17-19	239.69	Smith & Woodall
Dellora R. Gates .....	357,739.34	5-27-19	35,773.93	Smith & Woodall
Lucia Holmes .....	5.85	5- 9-19	....	None
Martha Lee Car .....	63.00	5-17-19	6.30	Smith & Woodall
Polk Montgomery .....	50.00	4- 3-19	5.00	Smith & Woodall
C. M. Arnett .....	1,007.70	7- 8-19	100.77	Smith & Woodall
Total .....	\$442,934.31		\$43,266.53	

**Simple Resolution No. 31.**

Whereas, the Government of Mexico has failed and is failing to function for the protection of foreigners within the borders of that country; and

Whereas, the lives and the property of Americans in Mexico in many instances are now in constant peril of extermination or seizure, and both are subject alike to the extortionate demands on one hand of the Carranzista officials who demand pay for protection which they rarely give, and on the other hand to the raiding attacks of organized groups of bandits who not only plunder but frequently murder Americans, and even American women are not free from their lust; and

Whereas, the Government of the United States has apparently been waiting for more than eight years for an aroused public sentiment to demand drastic correction of these conditions and the establishment of law and justice in Mexico; therefore be it

Resolved, that the Senate of the State of Texas stamps with its approval the purpose and efforts of the National Association for the protection of American rights in Mexico, to organize direct and give expression to that sentiment throughout the union; and be it further

Resolved, that this body approve the action of the Chamber of Commerce of El Paso, Texas, in being the first commercial body in Texas to endorse and join forces with this Association for the purpose of establishing peace and justice in Mexico, and that we heartily commend this action to all of the Chambers of Commerce and like bodies in this State.

Dudley, Dayton, Hertzberg, Hopkins, Strickland, Witt, Carlock.

The resolution was read and adopted.

**House Bill No. 66.**

The Chair laid before the Senate on third reading:

H. B. No. 66, A bill to be entitled "An Act creating the Lovelady School District in Houston County, Texas; defining its boundaries; providing for board of trustees to manage and control the public free schools within said district; investing the district with the rights, powers, privileges and duties of a town or village in-

corporated for free school purposes only under the general laws; creating the trustees of said independent district as a board of equalization thereof, and conferring upon them the power, etc., given by the general laws, and declaring an emergency."

The bill was laid before the Senate, read third time, and on motion of Senator Dudley, was passed by the

Yeas—29.

Alderdice.	Hertzberg.
Bailey,	Hopkins.
Buchanan of Bell.	Johnston.
Buchanan of Scurry.	McNealus.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Cousins.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Witt.
Floyd.	Woods.
Hall.	

Absent—Excused.

Gibson.

**House Bill No. 114.**

The Chair laid before the Senate on third reading:

H. B. No. 114, A bill to be entitled "An Act to create the Van Independent School District in Van Zandt County, Texas; defining its boundaries; providing for a board of trustees, etc., and declaring an emergency."

The bill was laid before the Senate, read third time, and on motion of Senator Suiter was passed by the following vote:

Yeas—29.

Alderdice.	Hertzberg.
Bailey,	Hopkins.
Buchanan of Bell.	Johnston.
Buchanan of Scurry.	McNealus.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Cousins.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Witt.
Floyd.	Woods.
Hall.	

Absent—Excused.

Gibson.

**House Bill No. 112.**

The Chair laid before the Senate on third reading:

H. B. No. 112, A bill to be entitled "An Act to amend 'An Act creating the Follett Independent School District of Lipscomb County, defining its metes and bounds, vesting it with the rights, powers, duties and privileges of districts incorporated, for school purposes only, etc.," said original Act being House Bill No. 65, Chapter 13, Fourth Called Session of the Thirty-fifth Legislature; this amending Act revising the boundaries of said Follett Independent School District, fixing the number of trustees, etc., and declaring an emergency."

The bill was laid before the Senate, read third time, and on motion of Senator Buchanan of Scurry, was passed by the following vote:

Yeas—29.

Alderdice.	Hertzberg.
Bailey,	Hopkins.
Buchanan of Bell.	Johnston.
Buchanan of Scurry.	McNealus.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Cousins.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Witt.
Floyd.	Woods.
Hall.	

Absent—Excused.

Gibson.

**House Bill No. 77.**

The Chair laid before the Senate on third reading:

H. B. No. 77, A bill to be entitled "An Act to exempt the county of Uvalde from the provisions and operations of Articles 7256 to 7304, inclusive, of Chapter 7, Title 124, of the Revised Civil Statutes of 1911, and all acts amendatory thereto relating to the inspection of hides and animals, and repealing all laws in conflict therewith, and declaring an emergency."

The bill was laid before the Senate, read third time, and on motion of Senator Dudley, was passed by the following vote:

Yeas—29.

Alderdice.	Hertzberg.
Bailey,	Hopkins.
Buchanan of Bell.	Johnston.
Buchanan of Scurry.	McNealus.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Cousins.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Witt.
Floyd.	Woods.
Hall.	

Absent—Excused.

Gibson.

**House Bill No. 23.**

The Chair laid before the Senate on third reading.

H. B. No. 23, A bill to be entitled "An Act to amend Article 7305 of the Revised Civil Statutes of the State of Texas, 1911, as the same was amended by Chapter 114 of the Acts of the Regular Session of the Thirty-fifth Legislature, relating to the inspection of hides and animals by striking therefrom the word 'Bailey,' so as to include Bailey County among the counties subject to the provisions of Chapter 7, Title 124, of the Revised Civil Statutes of 1911, as the same was amended by Chapter 127, Acts of the Regular Session of the Thirty-fifth Legislature, relating to regulations for the protection of stock raisers in certain localities, and declaring an emergency."

Senator Dudley offered the following which was read and adopted by unanimous vote:

Amend House Bill No. 23, section 2, by adding after Tyler county and before Upshur county, the name "Uvalde."

The bill was laid before the Senate, read third time, and on motion of Senator Dudley, was passed by the following vote:

Yeas—29.

Alderdice.	Buchanan of Bell.
Bailey,	Buchanan of Scurry.

Caldwell.	Johnston.
Carlock.	McNealus.
Clark.	Page.
Cousins.	Parr.
Dayton.	Rector.
Dean.	Smith.
Dorough.	Strickland.
Dudley.	Suiter.
Faust.	Westbrook.
Floyd.	Williford.
Hall.	Witt.
Hertzberg.	Woods.
Hopkins.	

Absent—Excused.

Gibson.

**House Bill No. 135.**

The Chair laid before the Senate on third reading:

H. B. No. 135, A bill to be entitled "An Act creating Rusk Independent School District in Cherokee County, Texas, defining its boundaries, etc., and declaring an emergency."

The bill was laid before the Senate, read third time, and on motion of Senator Strickland, was passed by the following vote:

Yeas—29.

Alderdice.	Hertzberg.
Bailey,	Hopkins.
Buchanan of Bell.	Johnston.
Buchanan of Scurry.	McNealus.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Cousins.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Witt.
Floyd.	Woods.
Hall.	

Absent—Excused.

Gibson.

**House Bill No. 147.**

The Chair laid before the Senate on third reading:

H. B. No. 147, A bill to be entitled "An Act establishing and creating the Ganado Independent School District in Jackson County, Texas; increasing and defining its boundaries; providing for the election of a board of trustees to manage and control the public free schools within such district; vesting said district with

the rights and powers and privileges and duties of an independent school district; providing that the taxes heretofore voted in any of the added territory to the said independent school district shall not be repealed by this Act, and declaring an emergency."

The bill was laid before the Senate, read third time, and on motion of Senator Bailey, was passed by the following vote:

Yeas—29.

Alderdice.	Hertzberg.
Bailey,	Hopkins.
Buchanan of Bell.	Johnston.
Buchanan of Scurry.	McNealus.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Cousins.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Witt.
Floyd.	Woods.
Hall.	

Absent—Excused.

Gibson.

**Senate Bill No. 11—House Amendments Concurred In.**

Senator Dudley called up for consideration of House amendments to:

S. B. No. 11, A bill to be entitled "An Act to provide for the sale, development and patenting of mineral deposits, placers, veins, lodes or any rock or aqueous solution carrying metallic or non-metallic substances of value excepting oil, natural gas, coal and lignite that may be in any of the land of the public free school fund, University fund, the several asylum funds that may have been heretofore sold or disposed of by the State with the reservation of minerals therein.

The following House amendments were laid before the Senate:

(1) Amend Senate bill No. 11, page 4, by eliminating everything after the figure 7 in line 4, down to and including line 22, and inserting in lieu thereof the following, which will constitute a new Section 7:

"Said mining claim or claims may be filed upon by one or more persons as provided for herein, separately or jointly, and if any mining claim of any character shall be filed upon

jointly, by two or more locators, and any one or more of them shall fail to pay his part of the annual rentals when due, or fail to contribute his proportion of any expenses or assessment work required in this Act within the required time, the co-owners paying their proportional part of said rentals, expenses and assessment work shall not be prejudiced thereby in their interest or title in said claim, but the right, interest, title and claim of such co-owner so defaulting shall ipso facto cease and terminate, and the same shall revert thereupon to the State or the fund to which it originally belonged. The co-owners so paying as required herein shall, after such forfeiture, have the prior and preference right for ninety days thereafter, to make the delinquent payments of rentals and expenses and to do the required assessment work required of said delinquent co-owner, or finish making the payment and doing said assessment work, if any had been previously done by said delinquent co-owner, upon the making of payment and doing said work as required herein by said co-owners within said ninety days, he or they shall have thirty days, after the expiration of said ninety days, within which to make affidavit to the Commissioner of the General Land Office to the effect that all of said provisions had been carried out and said work done within said time, and for the location thereon by said co-owner or co-owners of his or their mining claim covering the interest so forfeited in the same manner as if no location had ever been made by said forfeiting owner thereon."

(2) Amend Senate Bill No. 11, page 6, by adding after the word "lessee," in line 19, the following:

"In case minerals are produced upon the claim or claims provided for herein, then whether same be worked as a claim or sold and patented to the purchaser thereof, said 2 per cent royalty upon the production of such claim shall be perpetual and payable as provided by herein."

The above amendments were read and on motion of Senator Dudley the same were concurred in by the following vote:

Yeas—26.

Alderdice.	Caldwell.
Bailey,	Carlock.
Buchanan of Bell.	Clark.

Cousins.	McNealus.
Dayton.	Page.
Dean.	Parr.
Dorough.	Rector.
Dudley.	Smith.
Faust.	Suiter.
Hall.	Westbrook.
Hertzberg.	Williford.
Hopkins.	Witt.
Johnston.	Woods.

Absent.

Buchanan of Scurry. Strickland.  
Floyd.

Absent—Excused.

Gibson.

#### House Bill No. 54.

The Chair laid before the Senate on second reading:

H. B. No. 54, A bill to be entitled "An Act to amend Section 2 of Chapter 54, House Bill No. 432, of the Special Laws of the State of Texas, passed by the Regular Session of the Thirty-first Legislature, and approved March 16, 1909, entitled 'An Act creating an independent school district in the county of Ellis, State of Texas, to be known as the Ferris Independent School District'; more particularly defining its metes and bounds, and adding Section 2a thereto, and declaring an emergency."

The committee report carrying amendments and that the bill be not printed, was adopted.

The bill was read second time and, on motion of Senator Alderdice was passed to its third reading.

On motion of Senator Alderdice, the constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 54 put on its third reading and final passage by the following vote:

Yeas—29.

Alderdice.	Floyd.
Bailey.	Hall.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Caldwell.	Johnston.
Carlock.	McNealus.
Clark.	Page.
Cousins.	Parr.
Dayton.	Rector.
Dean.	Smith.
Dorough.	Strickland.
Dudley.	Suiter.
Faust.	Westbrook.



Williford. Woods.  
Witt.  
Absent—Excused.  
Gibson.

The bill was laid before the Senate, read third time and, on motion of Senator Alderdice was passed by the following vote:

Yeas—29.

Alderdice.	Hertzberg.
Bailey.	Hopkins.
Buchanan of Bell.	Johnston.
Buchanan of Scurry	McNealus.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Cousins.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Witt.
Floyd.	Woods.
Hall.	

Absent—Excused.

Gibson.

#### House Bill No. 3.—Conference Committee Report.

Committee Room,  
Austin, Texas, July 14, 1919.  
Hon. W. A. Johnson, President of the Senate.

Hon. R. E. Thomason, Speaker of the House of Representatives.

Sirs: Your Free Conference Committee, appointed by your respective bodies to consider the amendments of the Senate to

H. B. No. 3, A bill to be entitled "An Act making appropriations to pay the salaries of judges and for the support of the judicial department of the State Government for the two years beginning September 1, 1919, and ending August 31, 1921, and for the Commission of Appeals from September 1, 1919, to June 30, 1920, and declaring an emergency."

Have had the same under consideration and beg to report that we have reached an agreement and we agree to adopt the House bill with the following amendments:

Amend, page 1, line 40, by striking out "\$250.00" and insert in lieu thereof "\$200.00."

Amend, page 3, line 9, by adding after the word "Appeals" the follow-

ing: "which is hereby fixed at," and by striking out "\$3,000.00" wherever it appears and insert in lieu thereof "\$3,600.00."

Amend, page 3, line 22, by striking out "750.00" and insert "\$600.00."

Amend, page 3, line 33, by striking out "\$300.00" and insert "\$150.00."

Amend, page 3, line 37, by striking out the word "carpet" and insert "floor covering."

Amend, page 4, line 29, by striking out "\$300.00" wherever it appears and insert "\$250.00."

Amend, page 5, line 10, by striking out "\$250.00" wherever it appears and insert "\$200.00"; and by adding between lines 17 and 18, "Repairs for furniture "\$100.00 for the year 1920.

Amend, page 5, line 38 by striking out "\$124.00" and insert "\$100.00."

Amend, page 6, line 3, by striking out "\$200.00" and insert in lieu thereof "\$100.00."

Amend, page 6, line 26, by striking out "\$350.00" and insert in lieu thereof "\$250.00."

Amend, page 7, line 36, by striking out "\$300.00" and "\$400.00" and insert in each instance "\$250.00" and by striking out "200.00" in line 37 and insert "\$150.00."

Amend, page 8, line 2, by striking out "\$200.00" and insert "\$150.00."

Amend, page 8, line 22, by striking out "\$300.00" and insert "\$200.00."

Amend, page 8, line 23, by striking out "\$200.00" and insert "\$150.00."

Amend, page 8, line 26, by striking out "\$750.00" and insert "\$500.00."

Amend, page 9, line 7, by striking out "\$500.00" and insert "\$300.00."

Amend, page 9, line 10, by striking out "\$200.00" and insert "\$150.00."

Amend, page 9, line 12, by striking out "\$200.00" and insert "\$150.00."

Amend, page 9, line 34, by striking out "\$225.00" and insert "\$150.00."

Amend, page 9, line 35, by striking out "\$300.00" and insert "\$200.00."

Amend, page 9, line 37, by strik-

ing out "\$750.00" and insert "\$500.00."

Amend, page 9, line 38, by striking out "\$200.00" and insert "\$150.00."

Amend, page 9, line 39, by striking out "\$200.00" and insert "\$150.00."

Amend, page 12 and 13, by striking out the Recapitulation.

The Enrolling Clerk is directed to make the changes in the enrolled bill to conform with this report, including changes and totals.

PAGE.

WOODS

DUDLEY.

DEAN.

On the part of the Senate.

THOMAS.

SMITH of Hopkins.

TAYLOR.

THORP.

McDONALD.

On the part of the House.

The above report was laid before the Senate, read and on motion of Senator Page, was adopted.

#### House Bill No. 115.

The Chair laid before the Senate on second reading:

H. B. No. 115, A bill to be entitled "An Act to add Chapter 16, Title 48, Revised Civil Statutes of 1911, Articles 2851a, 2851b, 2851c, 2851d, and 2851e, providing for an election of the qualified voters in a town or village incorporated for free school purposes only under the general law, for the purpose of organizing an incorporated city or town incorporated under the general law forming a part of said town or village incorporated for free school purposes only to acquire the right to take over and control the schools within the limits of such town or village incorporated for free school purposes only, authorizing the levy, assessment and collection of taxes to provide interest on and sinking fund for all bonds that may be outstanding against such town or village incorporated for free school purposes only, and for the support and maintenance of the schools therein, and providing for the election of school trustees after the taking over of the control of the schools of the district by the incorporated city or town, and declaring an emergency."

The Senate rule requiring committee report to lie over for one day was suspended.

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to its third reading.

The bill was read second time and passed to engrossment.

On motion of Senator Clark, the constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 115 put on its third reading and final passage by the following vote:

Yeas—27.

Alderdice.	Hertzberg.
Bailey,	Hopkins.
Buchanan of Bell.	Johnston.
Buchanan of Scurry.	McNealus.
Caldwell.	Page.
Carlock.	Parr.
Cousins.	Rector.
Dayton.	Smith.
Dean.	Suiter
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Witt.
Floyd.	Woods.
Hall.	

Absent.

Clark. Strickland.

Absent—Excused.

Gibson.

The bill was laid before the Senate, read third time, and on motion of Senator Carlock, was passed by the following vote:

Yeas—27.

Alderdice.	Hertzberg.
Bailey,	Hopkins.
Buchanan of Bell.	Johnston.
Buchanan of Scurry.	McNealus.
Caldwell.	Page.
Carlock.	Parr.
Cousins.	Rector.
Dayton.	Smith.
Dean.	Suiter
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Witt.
Floyd.	Woods.
Hall.	

Absent.

Clark. Strickland.

Absent—Excused.

Gibson.

**House Bill No. 180.**

The Chair laid before the Senate on second reading:

H. B. No. 180, A bill to be entitled "An Act adding to Chapter 17 of the Harris County Road Law, passed by a Regular Session of the Thirty-third Legislature of the State of Texas, adding thereto a new section to be known as Section 30a, authorizing the commissioners court of Harris County, Texas, for the purpose of furthering proper maintenance of the roads in Harris County, Texas; to invest the sinking fund in retiring anticipation warrants, and to provide for the refund of same by said county, and declaring an emergency."

The Senate rule requiring committee reports to live over one day was suspended.

The committee report that the bill be not printed was adopted.

The bill was read second time and, passed to its third reading.

On motion of Senator Johnston, the constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 180 put on its third reading and final passage by the following vote:

Yeas—29.

Alderdice.	Hertzberg.
Bailey,	Hopkins.
Buchanan of Bell.	Johnston.
Buchanan of Scurry	McNealus.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Cousins.	Smith.
Dayton.	Strickland.
Dean.	Suiter
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Witt.
Floyd.	Woods.
Hall.	

Absent—Excused.

Gibson.

The bill was laid before the Senate, read third time and, on motion of Senator Johnston, was passed by the following vote:

Yeas—29.

Alderdice.	Caldwell.
Bailey,	Carlock.
Buchanan of Bell.	Clark.
Buchanan of Scurry	Cousins.

Dayton.	Page.
Dean.	Parr.
Dorough.	Rector.
Dudley.	Smith.
Faust.	Strickland.
Floyd.	Suiter
Hall.	Westbrook.
Hertzberg.	Williford.
Hopkins.	Witt.
Johnston.	Woods.
McNealus.	

Absent—Excused.

Gibson.

**House Bill No. 127.**

The Chair laid before the Senate on second reading:

H. B. No. 127, A bill to be entitled "An Act to create a county highway board for Rains County, Texas, prescribing their qualifications and duties and declaring an emergency."

The Senate rule requiring committee reports to live over for one day was suspended.

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to its third reading.

On motion of Senator Westbrook, the constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 127 put on its third reading and final passage by the following vote:

Yeas—29.

Alderdice.	Hertzberg.
Bailey,	Hopkins.
Buchanan of Bell.	Johnston.
Buchanan of Scurry	McNealus.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Cousins.	Smith.
Dayton.	Strickland.
Dean.	Suiter
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Witt.
Floyd.	Woods.
Hall.	

Absent—Excused.

Gibson.

The bill was laid before the Senate, read third time and, on motion of Senator Westbrook was passed by the following vote:

## Yeas—29.

Alderdice.	Hertzberg.
Bailey,	Hopkins.
Buchanan of Bell.	Johnston.
Buchanan of Scurry.	McNealus.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Cousins.	Smith.
Dayton.	Strickland.
Dean.	Suiter
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Witt.
Floyd.	Woods.
Hall.	

## Absent—Excused.

Gibson

President Pro Tem Page in the Chair.

## Senate Bill No. 160.

The Chair laid before the Senate on second reading:

S. B. No. 160, A bill to be entitled "An Act to amend Chapter 79, page 202 of the General Laws of the Regular Session of the Twenty-seventh Legislature of the State of Texas, approved on 9th day of April, 1901, entitled 'An Act to create a more efficient road system for Brown County, Texas, etc.'"

The committee report that the bill be not printed, was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Rector, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 160, put on its third reading and final passage by the following vote:

## Yeas—29.

Alderdice.	Hertzberg.
Bailey,	Hopkins.
Buchanan of Bell.	Johnston.
Buchanan of Scurry.	McNealus.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Cousins.	Smith.
Dayton.	Strickland.
Dean.	Suiter
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Witt.
Floyd.	Woods.
Hall.	

## Absent—Excused.

Gibson.

The bill was laid before the Senate, read third time and, on motion of Senator Rector, was passed by the following vote:

## Yeas—29.

Alderdice.	Hertzberg.
Bailey,	Hopkins.
Buchanan of Bell.	Johnston.
Buchanan of Scurry.	McNealus.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Cousins.	Smith.
Dayton.	Strickland.
Dean.	Suiter
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Witt.
Floyd.	Woods.
Hall.	

## Absent—Excused.

Gibson.

## Senate Bill No. 161.

The Chair laid before the Senate on second reading:

S. B. No. 161, A bill to be entitled "An Act to create a more efficient road system for Red River County, Texas, adopting certain provisions of Chapter 2, Title 18, Revised Civil Statutes of 1911, as amended and added to by Chapter 203, Acts of the Regular Session of the Thirty-first Legislature, and Chapter 18 of the Fourth Called Session of the Thirty-fifth Legislature, except as herein provided, etc. Providing that this Act shall be cumulative of all general laws on the subject treated of herein and of the special road laws of Red River County, except repealing Chapter 31, Special Laws of the Regular Session of the Thirty-fourth Legislature, and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Floyd, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 161 put on its third reading and final passage by the following vote:

## Yeas—29.

Alderdice.	Hertzberg.
Bailey,	Hopkins.
Buchanan of Bell.	Johnston.
Buchanan of Scurry	McNealus.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Cousins.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Witt.
Floyd.	Woods.
Hall.	

## Absent—Excused.

Gibson.

The bill was laid before the Senate, read third time and, on motion of Senator Floyd, was passed finally.

## Senate Bill No. 27.

The Chair laid before the Senate on second reading:

S. B. No. 27, A bill to be entitled "An Act providing for the examination of persons whom the State Health Officer has good reason to believe are afflicted with the disease of leprosy and for the quarantine and segregation of lepers and providing that if any part of this Act is held to be unconstitutional, no other part of this Act shall be affected thereby, and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator McNealus, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 27 put on its third reading and final passage by the following vote:

## Yeas—29.

Alderdice.	Hertzberg.
Bailey,	Hopkins.
Buchanan of Bell.	Johnston.
Buchanan of Scurry	McNealus.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Cousins.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Witt.
Floyd.	Woods.
Hall.	

## Absent—Excused.

Gibson.

The bill was laid before the Senate, read third time, and on motion of Senator McNealus, was passed by the following vote:

## Yeas—26.

Bailey,	Hopkins.
Buchanan of Bell.	Johnston.
Buchanan of Scurry	McNealus.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Dayton.	Smith.
Dean.	Strickland.
Dorough.	Suiter.
Dudley.	Westbrook.
Faust.	Williford.
Hall.	Witt.
Hertzberg.	Woods.

## Absent.

Alderdice.	Floyd.
Cousins.	

## Absent.

Gibson.

## Senate Bill No. 114.

The Chair laid before the Senate on second reading:

S. B. No. 114, A bill to be entitled "An Act to amend Sections 1 to 9 inclusive, Chapter 68 of the General Laws of the Thirty-second Legislature, passed at the Regular Session thereof, being an Act to provide for the protection of the fish and oysters within the tide water limits along the Gulf Coast of this State from the most interior point of tidewater seaward co-extensive with the jurisdiction of the State and the fish in such fresh water lakes as may be owned by the State; and to provide for the sale and protection of all marl and sand of commercial value and all shells or mudshell that may be in or upon the bottoms of any lake, bay and shallow water and in or upon all islands, reefs and bars that may be within the limits herein defined; and the placing of said islands, lakes and bays, and the shells or mudshells, sand or bars that may be upon the said bottoms or in or upon the said islands, lakes, bays, reefs or bars, under the jurisdiction and control of the Game, Fish and Oyster Commissioner for the purpose of selling and protecting the shells,

mudshells, marl and sand; and providing for the proceeds arising from the sale of said shells, or mudshell, marl and sand, shall be credited to the Fish and Oyster Fund and be expended in the execution of this Act and in establishing fish hatcheries on the coast or elsewhere, and in locating oyster beds, and reserving fresh water lakes from sale; and providing penalties for the violation of this Act, and appropriating to certain funds the proceeds from sale and fines arising under this Act, and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator McNealus, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 114 put on its third reading and final passage by the following vote:

Yeas—28.

Alderdice.	Hertzberg.
Bailey,	Hopkins.
Suchanan of Bell.	Johnston.
Buchanan of Scurry	McNealus.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Dayton.	Smith.
Dean.	Strickland.
Dorough.	Suiter.
Dudley.	Westbrook.
Faust.	Williford.
Floyd.	Witt.
Hall.	Woods.

Absent.

Cousins.

Absent—Excused.

Gibson.

The bill was laid before the Senate, read third time, and on motion of Senator McNealus, was passed by the following vote:

Yeas—28.

Bailey,	Floyd.
Buchanan of Bell.	Hall.
Buchanan of Scurry	Hertzberg.
Caldwell.	Hopkins.
Carlock.	Johnston.
Clark.	McNealus.
Cousins.	Page.
Dayton.	Parr.
Dean.	Rector.
Dorough.	Smith.
Dudley.	Strickland.
Faust.	Suiter.

Westbrook,  
Williford.

Witt.  
Woods.

Absent.

Alderdice.

Absent—Excused.

Gibson.

#### Senate Bill No. 147.

The Chair laid before the Senate on second reading and was special order:

S. B. No. 147, A bill to be entitled "An Act to amend Section 1 of Chapter 147 of the Acts of the Regular Session of the Thirty-fourth Legislature relating to the duties of Tax Collectors to prepare and mail notices and statements of delinquent taxes against lands to the record owners thereof; the preparation and perfecting of the delinquent tax records of various counties and the compensation of the collector therefor; etc., and declaring an emergency."

On motion of Senator Bailey the bill was laid on the table subject to call.

#### Senate Bill No. 148.

The Chair laid before the Senate on second reading and as pending business under a special order:

S. B. No. 148, A bill to be entitled "An Act making it unlawful for any person, directly or indirectly, to manufacture, sell, barter, exchange, transport, export, receive, solicit take orders for, furnish or possess, spirituous, vinous or liquors or medicated bitters, capable of producing intoxication, or other intoxicant whatever, or any equipment for making any liquor except for medicinal, mechanical, scientific or sacramental purposes; declaring it unlawful for any person, directly or indirectly, to manufacture, sell, barter, exchange, transport, export, receive deliver or take orders for, furnish or possess any spirituous, vinous or malt liquors, or medicated bitters, or any portable liquor mixture or preparation, containing in excess of one per cent of alcohol by volume or equipment for making such liquors except for medicinal mechanical, scientific or sacramental purposes, etc., and declaring an emergency."

The committee report that the bill be printed in the Journal only was adopted.

Senator Dean offered the following amendment:

(1) Amend the bill by striking out section 6 thereof, and substituting therefor the following:

Section 3: The provisions of this Act shall not prohibit the possession of intoxicating liquor for beverage purposes for use by the owner and members of his family in a bona fide residence before this Act goes into effect; nothing in this Act shall prohibit the manufacture, transportation, storage and sale of denatured or pure ethyl alcohol, or denatured rum for use only in the industrial or mechanical arts or for scientific purposes or in chemical laboratories or hospitals or to prevent the manufacture, transportation, sale and keeping and storing for sale of any medicinal preparation manufactured in accordance with formulas prescribed by the United States Pharmacopei or National Formulary or American Institute of Homeopathy, or of alcoholic, patent or proprietary medicines which do not require the payment of the Federal tax as a beverage and which contain no more alcohol than is necessary to extract the medicinal properties of the drug contained in such preparation, and to hold the medicinal agents in solution and to observe the same and which are manufactured and sold for legitimate and lawful purposes and not as a beverage, or to prevent the manufacture and sale of bona fide alcoholic toilet or antiseptic preparations and solutions or flavoring extracts which do not require the payment of Federal tax as a beverage and which contain no more alcohol than is necessary for the extraction, solution and preservation of the agents contained therein, and which are manufactured and sold for legitimate and lawful purposes and not as a beverage and upon the outside of the bottle or package of each is printed in English conspicuously and legibly and clearly and clearly the quantity by volume of alcohol in such preparations.

The manufacture of flavoring extracts or toilet, medicinal antiseptic preparations or solutions, patent or proprietary medicines, or preparations permitted to be manufactured by this Act shall be permitted to

purchase, possess, transport and store alcohol necessary for the manufacture of said article, but not to be sold or given away, provided that such manufacturer shall secure a permit from the Comptroller and provided that said manufacturer shall make a monthly report to be filed with the Comptroller on or before the 10th day of each month, showing the name and quantity of every such preparation, solution or medicine so manufactured, and the percentage of alcohol contained in each such preparation, solution or medicine. Provided further that said manufacturer shall, upon request of the Attorney General of the State, the Comptroller of the State, or the District or County Attorney of the county in which such manufacturer has his place of business, furnish to the officer making such request any information called for by such officer with reference to the manufacture, storage or sale of any such alcoholic preparations, solution or medicine, and any information with reference to the preparation and dates of sale and transportation of any such preparation solution or medicine to any person or persons designated is such request. And provided, further, that any of the officers hereinabove named shall have the right of any reasonable time within business hours to examine the books and records and all data in possession of such manufacturer, with reference to the manufacture, storage or sale of such alcoholic preparation.

Nothing herein shall prevent the storage in United States Bonded Warehouses in the custody of the United States Collector of Internal Revenue of all liquors manufactured prior to the taking effect of this Act or to prevent the transportation of such liquors for purposes not inhibited by this Act.

Pending.

#### Message From the Governor.

Governor's Office,  
Austin, Texas, July 17, 1919.

To the Thirty-sixth Legislature in Second Called Session:

At the request of Representative Wilson, I submit for your consideration the following subject to-wit: "An Act creating the Graford Independent

School District in Palo Pinto County, Texas; etc."

Respectfully submitted,  
W. P. HOBBY,  
Governor.

Lieutenant Governor Johnson in the Chair.

#### Senate Bill No. 141.

The Chair laid before the Senate on second reading:

S. B. No. 141, A bill to be entitled "An Act adding to and making a part of the Covington Independent School District in Hill County Texas, and declaring an emergency; repealing all laws and parts of laws in conflict herewith, etc., and declaring an emergency."

The Committee report that the bill be not printed, was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Alderdice, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 141 put on its third reading and final passage by the following vote:

Yeas—28.

Alderdice.	Hall.
Bailey,	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry	Johnston.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Cousins.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Witt.
Floyd.	Woods.

Absent.

McNealus.

Absent—Excused.

Gibson.

The bill was laid before the Senate, read third time and on motion of Senator Alderdice was passed by the following vote:

Yeas—28.

Alderdice.	Caldwell.
Bailey,	Carlock.
Buchanan of Bell.	Clark.
Buchanan of Scurry	Cousins.

Dayton.  
Dean.  
Dorough.  
Dudley.  
Faust.  
Floyd.  
Hall.  
Hertzberg.  
Hopkins.  
Johnston.

Page.  
Parr.  
Rector.  
Smith.  
Strickland.  
Suiter.  
Westbrook.  
Williford.  
Witt.  
Woods.

Absent.

McNealus.

Absent—Excused.

Gibson.

#### Messages From the House.

Hall of the House of Representatives,  
Austin, Texas, July 17, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

Senate Concurrent Resolution No. 18, relating to a diversion of the waters of the Pecos River.

Senate Concurrent Resolution No. 21 concerning the postponement of the forfeitures and sales of School lands for non-payment of interest thereon by people of the drouth-stricken west.

House has adopted Conference Committee report on House Bill No. 3.

Respectfully submitted,  
T. B. REESE,

Chief Clerk, House of Representatives.

Hall of the House of Representatives,  
Austin, Texas, July 17, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has:

Reconsidered the vote by which Senate Concurrent Resolution No. 21 was adopted, and requests the Senate to return same to the House.

Respectfully submitted,  
T. B. REESE,

Chief Clerk, House of Representatives.

Hall of the House of Representatives,  
Austin, Texas, July 17, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: I am directed by the House



to inform the Senate that the House has passed the following bills:

S. B. No. 12, A bill to be entitled "An Act to amend Chapter 60 of the General Laws of the State of Texas, passed at the regular session of the Thirty-fifth Legislature of the State of Texas, and being an Act supplementing the Act creating the Live Stock Sanitary Commission for the State of Texas, and which is known as the Eradication of Cattle Ticks Law so that hereafter Kinney County, Uvalde County and Medina County in the State of Texas shall be placed in Zone No. 3 instead of in Zone No. 2 as heretofore, and declaring an emergency."

With amendments.

S. B. No. 13, A bill to be entitled "An Act granting cities and towns power to re-assess the cost of street and sidewalk improvements where prior assessment is erroneous or declared void; authorizing the procedure therefor, and declaring an emergency."

With amendments.

S. B. No. 18, A bill to be entitled "An Act to amend Sections 1, 7, 8, 9, 10, 13, 15, 17, 19, 23, 33, 54, 57, 58, 61, 66, 70, 71, 80 and 108 of Chapter 87 of the Acts of the Thirty-fifth Legislature providing for the organization and operation of water improvement districts, and adding to said Act certain new sections numbered 118a, 119, 120, 121 and 122. Giving commissioners courts authority to create water improvement districts, and providing the method of the creation and operation of such districts under the authority granted by Section 52 of Article 3 of the Constitution of Texas or under Section 59 of Article 16 of the Constitution. Providing the requisite of petition for organization for notice of hearing thereon and ordering of elections to establish such districts and declaring the result thereof. Providing for the government of such districts, the election of directors and appointment of tax assessors and collectors, the method of issuing bonds by such district, and issuing notes and other obligations, the levying, assessing and collecting of taxes by such districts. Providing the method of organizing districts embracing territory in two or more counties providing for the construction of irrigation improvements by joint action of

two or more districts, providing for the consolidation of districts, providing for the changing of districts organized under the authority of Section 52 of Article 3 of the Constitution into conservation and reclamation districts under the authority granted by Section 59, of Article 16, of the Constitution, providing additional methods of raising funds by charges for the use of water and by taxation, providing generally for the organization, operation and conduct of water improvement districts, providing the method of excluding lands from such district, providing for compensation for officers of such districts, repealing all laws in conflict herewith and declaring an emergency."

S. B. No. 33, A bill to be entitled "An Act making an appropriation for the establishment, construction, equipment, and maintenance of a wool and mohair scouring plant at the Agricultural Experimental Station of the Agricultural and Mechanical College of Texas, for the scouring of representative samples of wool and mohair in order to determine their shrinkages, as protection to the Texas producers of wool and mohair in the sale of their products, and declaring an emergency."

S. B. No. 52, A bill to be entitled "An Act to amend Sections 1 and 15 of Chapter 81 of the General Laws of the State of Texas, passed by the Fourth Called Session of the Thirty-fifth Legislature, approved April 3, 1918, creating the Commission of Appeals of the State of Texas, and adding thereto Section 17, providing for the extension of the terms of said commission from the last Saturday in June, 1920, until the last Saturday in June, 1922, for the appointment of judges for said extended term, and for an appropriation to carry out the purposes for this amendment, and declaring an emergency."

With amendments.

Respectfully submitted,

T. B. REESE,

Chief Clerk, House of Representatives.

#### Senate Bill No. 164.

The Chair laid before the Senate on second reading:

S. B. No. 164, A bill to be entitled "An Act making appropriation of

the sum of fifteen thousand dollars \$15,000.00 or as much thereof as may be necessary to pay the contingent expenses of the Second Called Session of the Thirty-sixth Legislature of the State of Texas, providing how accounts may be approved; and declaring an emergency."

The Committee report that the bill be not printed was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Caldwell, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 164 put on its third reading and final passage by the following vote:

**Yeas—28.**

Alderdice.	Hall.
Bailey,	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry	Johnston.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Cousins.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Witt.
Floyd.	Woods.

**Absent.**

McNealus.

**Absent—Excused.**

Gibson.

The bill was laid before the Senate, read third time, and on motion of Senator Caldwell, was passed by the following:

**Yeas—28.**

Alderdice.	Hall.
Bailey,	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry	Johnston.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Cousins.	Smith.
Dayton	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Witt.
Floyd.	Woods.

**Absent:**

McNealus.

**Absent—Excused.**

Gibson.

**Senate Bill No. 155.**

The Chair laid before the Senate on second reading:

S. B. No. 155, A bill to be entitled "An Act to authorize and empower Kerr county or any political subdivision or any defined district now or hereafter to be described and defined of said county, etc., by a vote of a two-thirds majority of the resident property tax payers, qualified voters of such county or political subdivision, or any defined district now or hereafter to be described and defined, thereof, voting thereon, to issue bonds to any amount not exceeding one-fourth of the assessed valuation of the real property of such county or of such political subdivision or any defined district now or hereafter to be described and defined and to levy, and to collect taxes to pay the interest on such bonds and to provide a sinking fund for the redemption thereof, for the purpose of constructing, maintaining and operating macadamized, graveled or paved roads and turnpikes or in aid thereof, and providing ways and means of conducting and supervising said work; providing for appointment of a board of road commissioners and their duties; and repealing the Kerr County Road Law passed by the Regular Session of the Thirty-sixth Legislature of the State of Texas, known as Senate Bill No. 22, and declaring an emergency."

The Committee report that the bill be not printed was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Hertzberg, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 155 put on its third reading and final passage by the following vote:

**Yeas—28**

Alderdice.	Dean.
Bailey,	Dorough.
Buchanan of Bell.	Dudley.
Buchanan of Scurry	Faust.
Caldwell.	Floyd.
Carlock.	Hall.
Clark.	Hertzberg.
Cousins.	Hopkins.
Dayton.	Johnston.

Page.	Suiter.
Parr.	Westbrook.
Rector.	Williford.
Smith.	Witt.
Strickland.	Woods.

Absent.

McNealus.

Absent—Excused.

Gibson.

The bill was laid before the Senate, read third time, and on motion of Senator Hertzberg, was passed by the following vote:

Yeas—23.

Alderdice.	Hall.
Bailey,	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry	Johnston.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Cousins.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Witt.
Floyd.	Woods.

Absent.

McNealus.

Absent—Excused.

Gibson.

Recess.

At 12:15 o'clock, the Senate, on motion of Senator Clark, recessed until 2:20 o'clock today.

After Recess.

(Afternoon Session.)

The Senate was called to order by Lieutenant Governor Johnson.

Senate Bill No. 163.

The Chair laid before the Senate on second reading:

S. B. No. 163, A bill to be entitled "An Act to amend Chapter 87 of the Regular Session of the Thirty-sixth Legislature entitled an 'Act to create a more efficient road law for Delta County and providing for a proper mode for handling funds

from the sale of road bonds and for compensation for members of permanent road board; and declaring an emergency."

The Committee report that the bill be not printed was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Floyd the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 163 put on its third reading and final passage by the following vote:

Yeas—30.

Alderdice.	Hall.
Bailey,	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry	Johnston.
Caldwell.	McNealus.
Carlock.	Page.
Clark.	Parr.
Cousins.	Rector.
Dayton.	Smith.
Dean.	Strickland.
Dorough.	Suiter.
Dudley.	Westbrook.
Faust.	Williford.
Floyd.	Witt.
Gibson.	Woods.

The bill was laid before the Senate, read third time, and on motion of Senator Floyd was passed by the following vote:

Yeas—30.

Alderdice.	Hall.
Bailey,	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry	Johnston.
Caldwell.	McNealus.
Carlock.	Page.
Clark.	Parr.
Cousins.	Rector.
Dayton.	Smith.
Dean.	Strickland.
Dorough.	Suiter.
Dudley.	Westbrook.
Faust.	Williford.
Floyd.	Witt.
Gibson.	Woods.

Senator W. H. Bledsoe.

The committee appointed to escort Senator Bledsoe to the President's stand here made report and presented the Senator-elect from the Twenty-ninth Senatorial District, at the bar of the Senate, whereupon he

took the constitutional oath of office administered by Lieutenant Governor Johnson.

Senator Bledsoe then addressed the Senate after which he was seated as a State Senator of Texas.

#### Senate Bill No. 116.

The Chair laid before the Senate on second reading:

S. B. No. 116, A bill to be entitled "An Act to prohibit the hauling or transportation of nitroglycerin over, across or upon any street, alley or highway of any city, town or village or within one-fourth mile within any city, town or village of this State; prescribing a penalty for any violation hereof and conditions under which same shall be transported; and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Strickland the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 116 put on its third reading and final passage by the following vote:

Yeas—31.

Alderdice.	Hall.
Bailey.	Hertzberg.
Bledsoe.	Hopkins.
Buchanan of Bell.	Johnston.
Buchanan of Scurry	McNealus.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Cousins.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Witt.
Floyd.	Woods.
Gibson.	

The bill was laid before the Senate, read third time, and on motion of Senator Strickland was passed by the following vote:

Yeas—31.

Alderdice.	Cousins.
Bailey.	Dayton.
Bledsoe.	Dean.
Buchanan of Bell.	Dorough.
Buchanan of Scurry	Dudley.
Caldwell.	Faust.
Carlock.	Floyd.
Clark.	Gibson.

35—Spec.

Hall.  
Hertzberg.  
Hopkins.  
Johnston.  
McNealus.  
Page.  
Parr.  
Rector.

Smith.  
Strickland.  
Suiter.  
Westbrook.  
Williford.  
Witt.  
Woods.

#### Simple Resolution 32.

Whereas, the Hon. W. H. Bledsoe, Senator-elect from the Twenty-ninth Senatorial District is present,

Therefore, Be It Resolved, that he be escorted to the President's chair to assume the oath of office.

CALDWELL.

The resolution was read and adopted, and the Chair appointed a committee to escort Senator Bledsoe to the Senate.

#### Messages From the House.

Hall of the House of Representatives,  
Austin, Texas, July 17, 1919.  
Lieutenant-Governor W. A. Johnson,  
President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

S. B. No. 58, A bill to be entitled "An Act granting to the city of Rockport, Texas, all right, title and interest of the State of Texas to certain land lying and being situated under the waters of Aransas Bay; declaring such granted area to be the 'Rockport Shipping District' and defining the purpose for which same is to be used, granting to the said city of Rockport the right, power and authority to locate, construct own and maintain within said granted territory such seawalls or breakwaters as may be necessary or desirable and to fill in the space between them and the mainland, and declaring all area formed by such filling in to be the property of the city of Rockport; granting said city the right, power and authority to construct within such granted area, such buildings, streets, slips, docks, terminals, wharves, dikes, piers, watering and loading and unloading facilities tracks or other improvements or make such excavations as may be deemed suitable or desirable in the building up and maintenance of the shipping industry of the port, providing for leas-

ing such improvements and the use for which same might be leased, and providing for rentals therefor; granting said city the right, power and authority to maintain and operate within the granted area, loading and unloading facilities, warehouses, storage rooms, watering facilities and generally such machinery, structures and other improvements as may be necessary and proper in the development and maintenance of the shipping industries of the port, and to charge reasonable rates and rentals therefor; granting to said city the right, power and authority to grant franchises to any person, firm, corporation or association of persons for the construction and maintenance within such graded area of such buildings, slips, docks, terminals, wharves, piers, watering and loading and unloading facilities or other improvements and to carry on such business as might be incidental thereto, providing that no such franchise for any term of years shall be granted by said city unless submitted to a vote of the qualified tax paying voters of said city; reserving to the State the right at any time to place all piers, wharves and other improvements and the rates and charges thereon under the supervision of the Railroad Commission of the State of Texas; authorizing said city of Rockport to remove and abate any encroachment or structures existing on said property and to bring suit or suits as may be necessary to carry out the provisions of this Act; granting to said city the right of eminent domain; reserving all mineral rights to the State; providing that the granted area shall be patented to the City of Rockport upon proper showing that as much as \$50,000.00 has been expended upon improvements such as are contemplated by this Act; reserving to the State of Texas and to the United States the right to erect upon the lands within the granted area such wharves, piers, structures, or other improvements for State or government purposes as may be authorized by law, and declaring an emergency."

With amendments.

S. B. No. 66, A bill to be entitled "An Act to amend Article 3871, Revised Civil Statutes of the State of Texas, 1911, as the same was

amended by Chapter 158 Acts of the Regular Session of the Thirty-sixth Legislature, relating to the compensation to be paid the assessor of taxes for assessing taxes for State, County, Drainage districts, road districts or other political subdivisions of the County, and declaring an emergency."

S. B. No. 68, A bill to be entitled "An Act to amend an Act entitled, 'An Act to incorporate the city of Texarkana, Texas, and a city of the first-class as a city of 10,000 and over inhabitants to grant said city a special charter, approved May 2nd, 1907; as amended by an Act entitled; 'An Act to amend House Bill No. 743 etc., Chapter 140, of an Act passed by the Thirtieth Legislature of the State of Texas, entitled, An Act to incorporate the city of Texarkana, Texas, as a city of the first class as a city of 10,000 and over inhabitants, to grant said city a special charter, as amended by Senate Bill No. 63 of the Thirtieth Legislature of the State of Texas, by amending Sections 45, 108, 144, 145, 160, 187, 201, 213, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 260, 280, 288 and 289, approved March 20th, 1913, as amended or attempted to be amended by a vote of the qualified voters of said city at an election held in said city on the 7th day of August, 1917, at which election a majority of the votes cast were cast in favor of said amendments, amending all of Sections 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, and 235 inclusive by amending said last sections numbered consecutively from 18 to 235 inclusive and by adding thereto sections 235-A, 235-B, 235-C, 235-D, 235-E, 235-F, 235-G and to amend the aforesaid Act entitled An Act to incorporate the city of Texarkana, Texas, as a city of the first class, as a city of 10,000 and over inhabitants, to grant said city a special charter, approved May 2nd, 1907, as to section 247 thereof, adding to the same Section 247-A; so that all of said sections amended and sections added thereto shall hereafter read as follows and to repeal all laws in conflict therewith, and to declare an emergency."

House has adopted House Con-

current Resolution No. 19, relating to Hon. R. L. Winfrey.

Respectfully submitted,  
T. B. REESE,  
Chief Clerk, House of Representatives.

**Senate Bill No. 58.—House Amendments Concurred In.**

Senator Bailey called up for consideration of House amendments to S. B. No. 58, granting the city of Rockport, Texas certain land lying under the waters of Aransas Bay.

The following House amendment was laid before the Senate.

Amend Senate Bill No. 58, by inserting after the word Fourth Street as found in Section 1, paragraph 3 being the second line of said paragraph the following: "From Henderson St. to Church St. and parallel to Third St."

On motion of Senator Bailey the amendment was concurred in by the Senate.

**Senate Bill No. 13.—House Amendments Concurred In.**

Senator Suiter called up for consideration of House amendments to:

S. B. No. 13, A bill to be entitled "An Act granting cities and towns power to re-assess the cost of street and sidewalk improvements where prior assessment is erroneous or declared void; authorizing the procedure therefor, and declaring an emergency."

The following House amendments were laid before the Senate:

Add in line 31, page 1, Senate Bill No. 13, the word "an" between the word "and" and "opportunity."

After the word "act" in line 5, Senate Bill No. 13 add the following: "Provided, that such assessment or reassessment as hereinbefore provided shall be begun within three years after the completion of improvements contiguous to the property against which assessment or reassessment is made and not thereafter, provided that in cases of reassessments where the question of validity of the original assessment may be, or may have been, in litigation, the period of time during which it may be or may have been in litigation shall not be considered in computing said period of three years

within which assessment or reassessment shall be made."

Add in line 31 page 1 Senate Bill No. 13 after the word "without" the words "at least ten days written."

Add in line 33, Senate Bill No. 13, page 1, after the word "property" the following: "Provided that such notice may be served either personally or by publication in some newspaper of general circulation, published in said city or town."

Add in line 17, page 2, Senate Bill No. 13, after the word "notice" the words "as provided above."

After the word "number" line 21, page 2, Senate Bill No. 13, add the following: "Provided, that the owner of such property shall have the right to appeal from the decision of the governing board of any such town or city to the court of competent jurisdiction within twenty days after such reassessment shall have been made, and upon failure to do so in said period such assessment shall be final and conclusive upon such owner and property."

In line 25, page 2, Senate Bill No. 13, after the word "adopted" strike out the following: "which are substantially in accord with these provisions," and add in lieu thereof the words "relative to the subject covered by this bill."

Strike out all of Section 1 after the word "validated" in line 27, page 2, Senate Bill No. 13.

On motion of Senator Suiter, the above amendments were concurred in.

**House Concurrent Resolution No. 19.**

Resolved, by the House of Representatives, the Senate concurring, That in adopting the report of the Blue Ridge Investigating Committee, the Legislature did not intend any reflection whatever upon the honesty or integrity of the Hon. R. L. Winfrey, Penitentiary Commissioner, and that neither said report nor the testimony before said committee justifies any such conclusion, and we therefore express our confidence in the personal integrity and official honesty of the said R. L. Winfrey.

Fly, Osborne, Bagby, Richards, Weber, Beasley, Fairchild, Murrell,

The resolution was read and adopted.

**Senate Bill No. 12.—House Amendments Concurred In.**

Senator Dudley called up for consideration of House amendments to:

S. B. No. 12, placing Kenney, Uvalde and Medina counties in Zone No. 3 instead of Zone No. 2 as arranged by the Tick Eradication Law.

The following House amendment was read:

Amend Senate Bill No. 12 by striking out Kinney County so bill will apply to Uvalde and Medina Counties.

The above House amendments were concurred in on motion of Senator Dudley.

**Bills and Resolutions Signed.**

The Chair, Lieutenant Governor Johnson, gave notice of signing and did sign in the presence of the Senate, after their captions had been read, the following:

H. C. R. No. 16, relating to the sale and transfer to the United States Government of the State's quarantine properties.

H. B. No. 92, A bill to be entitled "An Act to amend Sections 2 and 4 of Chapter 146, Special Laws of the Thirty-third Legislature, 1913, reciting powers and privileges of the Kyle Independent School District and changing the number of school trustees from three to seven, and declaring an emergency."

S. B. No. 11, A bill to be entitled "An Act to provide for the sale, development and patenting of mineral deposits, placers, veins, lodes or any rock or aqueous solutions carrying metallic or non-metallic substances of value excepting oil, natural gas, coal and lignite that may be in any of the land of the public free school fund, University fund, the several asylum funds, that may have been heretofore sold or disposed of by the State with the reservation of minerals therein or which may hereafter be sold with the reservation of minerals therein and all of said lands as were purchased with a relinquishment of the minerals therein, and all lands of which the mineral rights therein have or shall reverted to the State of Texas and the said mineral substances that may be in any fresh water lake, salt water lake, bays, inlets, marches, reefs, islands and river beds and channels which be-

long to the State, repealing all laws in conflict with this Act and declaring an emergency."

S. B. No. 66, A bill to be entitled "An Act to amend Article 3871, Revised Civil Statutes of the State of Texas, 1911, as the same was amended by Chapter 158, Acts of the Regular Session of the Thirty-sixth Legislature, relating to the compensation to be paid the assessor of taxes for assessing taxes for State, County, drainage districts, road districts or other political subdivisions of the County, and declaring an emergency."

H. B. No. 31, A bill to be entitled "An Act to amend Section 18, 20, 23, 27 and 30 of Chapter 70 of the special road laws enacted at the Regular Session passed at the Thirty-third Legislature, and known as a special road law for Smith County, Texas; providing for the appointment of special road commissioners for the county; providing for their qualification; prescribing their powers and duties, authorizing the right of eminent domain to any political subdivision or defined district; providing for the manner of holding elections, validating bonds heretofore issued or that may hereafter be issued, and declaring an emergency."

S. B. No. 33, A bill to be entitled "An Act making an appropriation for the establishment, construction, equipment, and maintenance of a wool and mohair scouring plant at the Agricultural Experimental Station of the Agricultural and Mechanical College of Texas, for the scouring of representative samples of wool and mohair in order to determine their shrinkage, as protection to the Texas producers of wool and mohair in the sale of their products, and declaring an emergency."

**Senate Bill No. 143.**

Action recurred upon pending business, Senate Bill No. 143, relating to the manufacture, sale and transportation of intoxicating liquors.

The question being upon the amendment offered by Senator Dean (See morning session).

Senator Dudley offered the following:

Amend pending amendment, Section 6, by striking out the words "for

use by the owner and members of his family."

The amendment to the amendment was tabled by the following vote:

Yeas—16.

Alderdice	Hopkins.
Buchanan of Bell.	Smith.
Buchanan of Scurry	Strickland.
Cousins.	Suiter.
Dayton.	Westbrook.
Dean.	Williford.
Dorough.	Johnson, W. A.
Floyd.	Lieut. Governor
Gibson.	

Nays—15.

Bailey.	Johnston.
Caldwell.	McNealus.
Carlock.	Page.
Clark.	Parr.
Dudley.	Rector.
Faust.	Witt.
Hall.	Woods.
Hertzberg.	

Absent.

Bledsoe.

The following by Senator Carlock was read and adopted:

Amend the amendment by inserting the words "bona fide guests," after the word family.

The following amendments by Senator Dean were read and adopted seriatim:

(2) Amend the bill by striking out Section 4 thereof, and substituting therefor the following:

"Section 4. The various liquors described in Sections 1 and 2 of this Act shall be construed to include all distilled, malt, spiritous, vinous, fermented or alcoholic liquor and all alcoholic liquids and compounds, whether medicated, proprietary, patented or not, and by whatever name called, which require a Federal tax as a beverage, or which contain more alcohol than is necessary to extract the medicinal properties of the drug contained in such preparation and to hold the medicinal agents in solution and preserve the same.

(3) Amend the bill by striking out Section 16 thereof, and substituting therefor the following:

"Section 16. That common carriers may deliver liquor to persons who have permits to manufacture or possess the same in wholesale quantities, upon the presentation of a verified copy of the permit from the

Comptroller of Public Accounts, and affidavit to the carrier that such liquor will not be used in violation of the law; and that the common carrier may also receive for shipment, and ship and deliver, liquor to persons for the uses permitted herein when affidavit is presented to the carrier that such liquor will not be used in violation of the law. The copy of the record hereinbefore mentioned shall be sent by the transportation company to the Comptroller of Public Accounts for the State where the delivery was made not later than the 10th day of the month for the quarter next preceding."

(4) To amend Section 9 by inserting at the end thereof the following, to-wit:

"Nothing in this Act shall be construed as requiring that any priest, rabbi or minister of any religious denomination or sect to have a permit in order to purchase or receive shipments of wine for sacramental purposes; and nothing in this Act shall make it unlawful for any priest, rabbi or minister or any religious denomination or sect to purchase, order or receive, wine for sacramental purposes or for any common carrier to ship, transport, carry or deliver same to any priest, rabbi or minister of any religious denomination or sect for sacramental purposes only; provided, however, that where such shipment or purchase is made a record thereof shall be made and kept and the priest, rabbi or minister making such purchase or shipment shall be identified. Such quantities of wine may be purchased and kept on hand for sacramental purposes as may be necessary for the particular church or religious institution for the use and service of which same is purchased or shipped."

(5) Amend the bill by adding at the end of Section 10 thereof, the following:

"Provided further, that every person having in his possession any intoxicating liquor purchased after this act becomes effective, for permitted purposes, shall have pasted on or permanently attached to the container a copy of the prescription or affidavit as the case may be, upon which authority it was purchased as is provided for in this Act."

(6) Amend the bill by striking



out the words "or alcoholic compounds," lines 2 and 3, Section 11 of the bill as printed in the Journal.

(7) Amend the bill by striking out the words "or compound," Section 13 of the bill, line 15, column 2, of page 351 of the bill as printed in the Journal.

(8) Amend Section 19 of the bill by striking out the words "druggists, transportation companies and physicians only," lines 6 and 7 of said Section 19, column 2, page 351 of the bill as printed in the Journal, and substitute therefor the words "only such persons as are authorized by the terms of this Act to sell, transport, purchase, manufacture or use alcohol."

(9) Amend the bill by striking out of line 6 in Section 23, as the same is printed in Senate Journal, the word "public" just preceding the word "hospitals."

(10) Amend Section 23 of the bill by striking out the word "are," line 20, column 1, page 354 of the bill as printed in the Journal and substituting therefor the word "were."

(11) Amend Section 26 of the bill by substituting for the period at the end of said section, a comma, and adding the following words: "except for the purposes permitted by this Act."

(12) Amend Section 27 of the bill by inserting before the word "selling" where it occurs in said section, the word "unlawful."

(13) Amend Section 29 of the bill by striking out of the second paragraph of said section, the words "and name and location of person using the same."

(13) Amend Section 31 of the bill by striking out the word "from" before the word "another" in line 3 of said section, and substituting therefor the word "for."

Senator Dean offered the following:

Amend the bill by striking out the first paragraph of Section 37 and inserting in lieu thereof the following:

"In criminal prosecutions under this Act, the district and county attorney, as the case may be, prosecuting the offender shall in case of conviction for the manufacture of intoxicating liquors receive a fee of one hundred (\$100.) dollars, payable as other fees in case of conviction;

provided, however, that the fee received by prosecuting officers under this Act shall not be considered in determining the maximum amount which they may receive under the general fee bill of the State.

Senator Bailey offered the following substitute for the above amendment:

Amend the bill by striking out all of Section No. 37 and renumbering the succeeding sections consecutively and amend the caption so as to conform to this amendment.

The substitute was substituted by the following vote:

Yeas—16.

Bailey.	Hopkins.
Caldwell.	Johnston.
Carlock.	McNealus.
Clark.	Page.
Dudley.	Parr.
Faust.	Rector.
Hall.	Witt.
Hertzberg.	Woods.

Nays—13.

Alderdice.	Gibson.
Buchanan of Scurry	Smith.
Cousins	Strickland.
Dayton.	Suiter.
Dean.	Westbrook.
Dorough.	Williford.
Floyd.	

Absent.

Bledsoe.	Buchanan of Bell.
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Senator Suiter offered the following:

(15) Substitute for amendment as substituted as follows: strike out paragraph one of section 37, and let the second paragraph constitute section 37, and leave the other numbers of this Act as in the printed bill.

Senator Caldwell made the point of order that the amendment seeks to restore provisions to the bill which have just been stricken out by affirmative vote of the Senate.

The point of order was overruled.

The substitute by Senator Suiter was substituted by the following vote:

Yeas—15.

Alderdice.	Dean.
Buchanan of Scurry	Dorough.
Cousins.	Floyd.
Dayton.	Gibson.

Hopkins.	Williford.
Smith.	Witt.
Strickland.	Johnson, W. A.
Suiter.	Lt. Governor.

Nays—14.

Bailey.	Hertzberg.
Caldwell.	Johnston.
Carlock.	McNealus.
Clark.	Page.
Dudley.	Parr.
Faust.	Rector.
Hall.	Woods.

Absent.

Bledsoe.	Westbrook.
Buchanan of Bell.	

The following amendment to the substitute offered by Senator Carlock was adopted:

Amend the substitute to section 37 by striking out all of the words in the latter paragraph of section 37 after the phrase "balance of the judgment to the State."

The amendment as substituted and amended was then adopted.

Senator Dorrough offered the following amendment:

Amend the bill by adding to section 37 as substituted the following:

"In all criminal prosecutions under this Act there shall be allowed the sheriff in care of convicts a fee of twenty-five dollars in addition to all other fees allowed by law, and that said fee shall not be considered in determining the maximum which sheriffs may receive under the general fee bill of this State."

The amendment was tabled on motion of Senator Hopkins by the following vote:

Yeas—18.

Alderdice.	Page.
Carlock.	Parr.
Clark.	Rector.
Dudley.	Smith.
Faust.	Strickland.
Gibson.	Suiter.
Hertzberg.	Williford.
Hopkins.	Witt.
Johnston.	Woods.

Nays—8.

Bailey.	Dorrough.
Buchanan of Scurry.	Floyd.
Caldwell.	Hall.
Cousins.	Westbrook.

Present—Not Voting.

McNealus.

Absent.

Bledsoe.	Dayton.
Buchanan of Bell.	Dean.

The following amendment by Senator Page was read and adopted:

(16) Amend Senate Bill 143, section 40, by changing the semi-colon after the word "testimony" to a period and by striking out the remainder of said section.

Senator Woods offered the following amendment:

(17) Amend Senate Bill No. 143 as follows: Add to the first paragraph of section 35, to be a part of said paragraph the following:

"No warrant shall be issued to search a private dwelling occupied as such, unless some part of it is used as a store, shop, hotel or boarding house, or for some purpose other than a private residence, or unless the affidavits of two credible persons show that such residence is a place where intoxicating liquors is sold or manufactured in violation of the terms of this Act."

The amendment was adopted.

Senator Carlock offered the following which was read:

Amend Senate Bill No. 143 by changing the period at the end of the first paragraph of section 36 to a comma, and adding the following:

"Excepting first offenders who may be under twenty-five years of age at the date of the commission of the offense."

Senator Woods offered the following substitute for the above amendment:

(18) Amend Senate Bill No. 143 by striking out that portion of the first paragraph of section 36 after and following the word "years," on down to the close of the paragraph, and insert a period after the word "years" instead of the semi-colon.

The amendment was substituted by the following vote:

Yeas—14

Alderdice.	Hertzberg.
Caldwell.	Johnston.
Carlock.	McNealus.
Clark.	Page.
Dudley.	Rector.
Faust.	Witt.
Hall.	Woods.

## Nays—12.

Buchanan of Bell. Floyd.  
 Buchanan of Scurry Gibson.  
 Cousins. Hopkins.  
 Dayton. Suiter.  
 Dean. Westbrook.  
 Dorrough. Williford.

Absent.

Bledsoe.

(Pairs Recorded.)

Senator Smith (present) who would vote no; Senator Bailey (absent) who would vote aye.

Senator Strickland (absent) who would vote no; Senator Parr (present) who would vote aye.

The amendment by Senator Woods as substituted was then adopted.

Senator Dean offered the following:

Amend the bill by adding after section 40, another section, to be known as section 40a, as follows:

Section 40a. It shall be unlawful for any person within this State to use as a beverage any alcoholic compound sold or permitted by the terms of this Act to be sold for non-beverage purposes only. Every person violating the provisions of this section shall be punished by fine of not less than \$25.00 nor more than \$1,000.00, or by confinement in the county jail for not less than one day nor more than thirty days, or by both such fine and imprisonment.

Senator Caldwell offered the following:

Amend the amendment by striking out "use" and insert "drink".

On motion of Senator Clark the amendemnt to the amendment was tabled by the following vote:

## Yeas—24.

Alderdice. Floyd.  
 Bailey. Gibson.  
 Buchanan of Bell. Hertzberg.  
 Buchanan of Scurry Hopkins.  
 Carlock. Page.  
 Clark. Rector.  
 Cousins. Smith.  
 Dayton. Suiter.  
 Dean. Westbrook.  
 Dorrough. Williford.  
 Dudley. Witt.  
 Faust. Woods.

Nays—3.

Caldwell. McNealus.  
 Hall.

## Present—Not Voting.

Johnston.

Absent.

Bledsoe.

(Pairs Recorded.)

Senator Parr (present) who would vote aye, Senator Strickland (absent) who would vote no.

On motion of Senator Clark the pending amendment by Senator Dean was tabled by the following vote:

## Yeas—20.

Alderdice. Floyd.  
 Buchanan of Bell. Gibson.  
 Buchanan of Scurry Hertzberg.  
 Carlock. Page.  
 Clark. Smith.  
 Cousins. Suiter.  
 Dayton. Westbrook.  
 Dorrough. Williford.  
 Dudley. Witt.  
 Faust. Woods.

## Nays—3.

Caldwell. Hopkins.  
 Hall. Rector.

## Present—Not Voting.

Bailey. Johnston.  
 Dean. McNealus.

Absent.

Bledsoe.

(Pair Recorded.)

(Senator Parr (present) who would vote aye; Senator Strickland (absent) who would vote no.

The following amendment by Senator Dean was read and adopted:

(19) Amend Section 38 of the bill by striking out the word "with" before the word "prosecutions" in the third line from the end of said section as printed in the Journal and substitute therefor the word "without."

Senator Woods offered the following:

Amend Senate Bill No. 143 as follows:

Strike out the first paragraph of section 36 of said bill and insert in lieu thereof, the following:

"Any person violating the provisions of this Act, for which no specific penalty is herein prescribed, shall, upon conviction thereof, be punished by a fine of not less than

One Hundred Dollars nor more than One Thousand Dollars, or by confinement in the county jail for not less than sixty days nor more than one year, or by both such fine and imprisonment, or by confinement in the penitentiary for not less than one year nor more than two years."

Senator Dean moved to table the amendment and this motion prevailed by the following vote:

## Yeas—20.

Alderdice.	Floyd.
Buchanan of Bell.	Gibson.
Buchanan of Scurry	Hopkins.
Caldwell.	Page.
Carlock.	Rector.
Cousins.	Smith.
Dayton.	Suiter.
Dean.	Westbrook.
Dorough.	Williford.
Dudley.	Witt.

## Nays—5.

Bailey.	Hall.
Clark.	Woods.
Faust.	

## Present—Not Voting.

Johnston.	McNealus.
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## (Pairs Recorded.)

Senator Parr (present) who would vote no; Senator Strickland (absent) who would vote aye.

Senator Hertzberg (present) who would vote no; Senator Bledsoe (absent) who would vote aye.

Senator Caldwell offered the following.

Amend Senate Bill 143 by inserting in sections one and two immediately after the word "possess" the words "or drink."

Also amend caption line 6 as presented in Journal after the word "possess" insert the words "or drink."

On motion of Senator Dean the amendment was tabled.

Senator Clark moved to postpone further consideration of the bill until January 20, 1921.

Senator Dean moved the previous question on the motion to postpone and on the engrossment of the bill.

This being duly seconded the main question was ordered.

The motion to postpone was lost by the following vote:

## Yeas—7.

Bailey.	Hall.
Caldwell.	McNealus.
Clark.	Parr.
Faust.	

## Nays—22.

Alderdice.	Hopkins.
Buchanan of Bell.	Johnston.
Buchanan of Scurry	Page.
Carlock.	Rector.
Cousins.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Floyd.	Witt.
Gibson.	Woods.

## (Pair Recorded.)

Senator Hertzberg (present) who would vote aye, Senator Bledsoe (absent) who would vote no.

The bill was read second time and passed to engrossment by the following vote:

## Yeas—21.

Alderdice.	Hopkins.
Buchanan of Bell.	Page.
Buchanan of Scurry	Rector.
Carlock.	Smith.
Cousins.	Strickland.
Dayton.	Suiter.
Dean.	Westbrook.
Dorough.	Williford.
Dudley.	Witt.
Floyd.	Woods.
Gibson.	

## Nays—8.

Bailey.	Hall.
Caldwell.	Johnston.
Clark.	McNealus.
Faust.	Parr.

## (Pairs Recorded.)

Senator Hertzberg (present) who would vote no; Senator Bledsoe (absent) who would vote aye.

Senator Dean moved that the constitutional rule requiring bills to be read on three several days be suspended and Senate Bill No. 143 put on its third reading and final passage.

The motion was lost by the following vote:

## Yeas—22.

Alderdice.	Hopkins.
Buchanan of Bell.	Johnston.
Buchanan of Scurry	Page.
Carlock.	Rector.
Cousins.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Floyd.	Witt.
Gibson.	Woods.

## Nays—8.

Bailey.	Hall.
Caldwell.	Hertzberg.
Clark.	McNealus.
Faust.	Parr.

## Absent.

Bledsoe.

## Senate Bill No. 158.

The Chair laid before the Senate on second reading:

S. B. No. 158, A bill to be entitled "An Act to create the Bailey Independent School District No. 36 in Fannin County, Texas, designating its territory etc., and declaring an emergency."

The Committee report that the bill be not printed was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Gibson constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 158 put on its third reading and final passage by the following vote:

## Yeas—30.

Alderdice.	Hall.
Bailey.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry	Johnston.
Caldwell.	McNealus.
Carlock.	Page.
Clark.	Parr.
Cousins.	Rector.
Dayton.	Smith.
Dean.	Strickland.
Dorough.	Suiter.
Dudley.	Westbrook.
Faust.	Williford.
Floyd.	Witt.
Gibson.	Woods.

## Absent.

Bledsoe.

The bill was laid before the Senate, read the third time and on motion of Senator Gibson, was passed by the following vote:

## Yeas—30.

Alderdice.	Hall.
Bailey.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry	Johnston.
Caldwell.	McNealus.
Carlock.	Page.
Clark.	Parr.
Cousins.	Rector.
Dayton.	Smith.
Dean.	Strickland.
Dorough.	Suiter.
Dudley.	Westbrook.
Faust.	Williford.
Floyd.	Witt.
Gibson.	Woods.

## Absent.

Bledsoe.

## Senate Bill No. 147.

Senator Bailey called up and the Chair laid before the Senate on second reading:

S. B. No. 147, A bill to be entitled "An Act to amend Section 7 of Chapter 147 of the Acts of the Regular Session of the Thirty-fourth Legislature relating to the duties of Tax Collectors to prepare and mail notices and statements of delinquent taxes against lands to the record owners thereof; the preparation and perfecting of the delinquent tax records of various counties and the compensation of the collector therefor; relating to the duties of the County and district attorneys in respect to instituting suits for the collection of delinquent taxes and the compensation they shall receive therefor, so as to require and provide that the notices to the record owners of real estate against which taxes are delinquent may be mailed by the tax collector to the addresses of such owners during the months of April and May each year, or as soon thereafter as practicable; and prescribing the contents of such notices; and to amend section 3 of said Chapter so as to provide that the County Attorney of each County in the State or the district attorney in counties having no county attorney, shall file suit for the collection of taxes delinquent against any lands or lots situated in such county, to-

gether with interest, penalties and cost then due, as soon as practicable after the expiration of 90 days from the date of the notice mailed to the delinquent owner thereof by tax collector under the provisions of this Act; repealing all laws in conflict herewith; and declaring an emergency."

The question being upon the pending amendment No. 2 (see page 419 of the Journal).

The amendment was read and adopted.

Senator Dayton offered the following which was read and adopted:

"(3) Amend Senate Bill No. 147 by striking out section 2 and substituting the following:

Section 2. That Section 3 of an Act passed in the Regular Session of the Thirty-fourth Legislature, the same being Chapter 147 of the printed General Laws of said session, and the same is hereby amended so as to hereafter read as follows:

"Section 3. As soon as practicable after the expiration of ninety days from the date of notice mailed to the delinquent owner by the Tax Collector under the provisions of this Act, the County Attorney or District Attorney, if there be no County Attorney, shall file or institute suit, as otherwise provided by law for the collection of all delinquent taxes due at the time of filing such suit against any lands or lots situated in the county, together with interest, penalties and costs then due, as otherwise provided by law; provided, that for the work of filing such suits the County or District Attorney shall receive a fee of Four (\$4.00) Dollars for the first tract of land included in each suit, and One (\$1.00) Dollar for each additional tract included therein; and, provided, where unimproved town lots are sued upon or included in a suit with other lands or unimproved town lots in the same town only one such additional fee shall be added for each twenty lots or any number less than twenty, and it shall be the duty of said County or District Attorney in bringing such suits to include in the same suit all lands and unimproved town lots owned by any one owner; and, provided, further, that in counties containing over fifty thousand inhabitants such fee shall be Two (\$2.00) Dollars for the first tract and Fifty (.50c) Cents for each additional

tract, and that the same provisions with regard to the joining of different tracts owned by the same owner in one suit shall apply to such counties.

"The Tax Collector shall, in addition to the compensation and costs now allowed by law, be entitled for making up the delinquent record or supplements thereto, where necessary under this Act the sum of Five (.05c) Cents for each and every line of yearly delinquencies entered on said delinquent record or supplement, the same not to exceed Twenty-five (.25c) Cents in any one case, such compensation to be paid out of the general fund of the county upon a completion or approval of said record or supplement. The Tax Collector shall also receive a commission of five per cent on the amount of delinquent taxes collected in addition to the commission now allowed by law, but all such fees or commissions of the said Tax Collector, District Attorney or County Attorney under this Act shall be accounted for as fees of office under provisions of the Maximum Fee Bill as provided in Chapter 4, Title 58, of the Revised Civil Statutes of Texas, 1911, as amended by Chapters 121 and 142, Acts of the Regular Session of the Thirty-third Legislature."

DAYTON.  
CARLOCK.

The bill was read second time and passed to engrossment.

On motion of Senator Bailey the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 147 put on its third reading and final passage by the following vote:

Yeas—25.

Alderdice.	Hall.
Bailey.	Johnston.
Buchanan of Bell.	Page.
Buchanan of Scurry.	Parr.
Caldwell.	Rector.
Carlock.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Witt.
Floyd.	Woods.
Gibson.	

Absent.

Bledsoe.	Hertzberg.
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Clark.  
Cousins.

Hopkins.  
McNealus.

The bill was laid before the Senate, read the third time and on motion of Senator Bailey was passed finally.

#### House Bill No. 87.

The Chair laid before the Senate on second reading:

H. B. No. 87 A bill to be entitled "An Act to amend Section 6 of Chapter 25, Acts of the Thirty-fifth Legislature, Fourth Called Session, approved March 21, 1918, and providing that water improvement districts constituted conservation and reclamation districts shall be governed and controlled by the provisions of Chapter 87, Acts of the Thirty-fifth Legislature, Regular Session, amendments thereof, and declaring an emergency."

The Committee report that the bill be printed in the Journal only was adopted.

The bill was read second time, and on motion of Senator Dudley was passed to its third reading.

On motion of Senator Dudley the constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 87 put on its third reading and final passage by the following vote:

Yeas—29.

Alderdice.	Hertzberg.
Bailey.	Hopkins.
Buchanan of Bell.	Johnston.
Buchanan of Scurry	McNealus.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Dayton.	Smith.
Dean.	Strickland.
Dorough.	Suiter.
Dudley.	Westbrook.
Faust.	Williford.
Floyd.	Witt.
Gibson.	Woods.
Hall.	

Absent.

Bledsoe. Cousins.

The bill was laid before the Senate read the third time and on motion of Senator Dudley was passed finally.

#### House Bill No. 40.

The Chair laid before the Senate on second reading:

H. B. No. 40, A bill to be entitled "An Act to amend Section 24, Chapter 87, of the General Laws of the Regular Session of the Thirty-fifth Legislature, providing in substance that districts created under the provisions of said Chapter 87 are empowered to own and construct reservoirs, dams, wells, canals, etc., and to acquire the necessary rights of way for same by purchasing, gift, grant of condemnation; to buy or construct all reservoirs, dams, wells, canals, laterals, sites for pumping plants and all other improvements required for the irrigation of lands, and declaring an emergency."

The committee report that the bill be not printed, was adopted.

The bill was read second time and, on motion of Senator Parr was passed to its third reading.

On motion of Senator Parr, the constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 40 put on its third reading and final passage by the following vote:

Yeas—29.

Alderdice.	Hall.
Bailey.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry	Johnston.
Caldwell.	McNealus.
Carlock.	Page.
Clark.	Parr.
Cousins.	Rector.
Dayton.	Smith.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Witt.
Floyd.	Woods.
Gibson.	

Nays—1.

Strickland.

Absent.

Bledsoe.

The bill was laid before the Senate, read third time and, on motion of Senator Parr was passed finally.

#### House Bill No. 33.

The Chair laid before the Senate on second reading:

H. B. No. 33, A bill to be entitled

"An Act to amend Article 5107, Chapter 87, Section 95, of the Acts of the Regular Session of the Thirty-fifth Legislature of the State of Texas, and declaring an emergency."

The committee report that the bill be not printed, was adopted.

The bill was read second time and, on motion of Senator Johnston was passed to its third reading.

On motion of Senator Johnston, the constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 33 put on its third reading and final passage by the following vote:

Yeas—30.

Alderdice.	Hall.
Bailey.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry	Johnston.
Caldwell.	McNealus.
Carlock.	Page.
Clark.	Parr.
Cousins.	Rector.
Dayton.	Smith.
Dean.	Strickland.
Dorough.	Suiter.
Dudley.	Westbrook.
Faust.	Williford.
Floyd.	Witt.
Gibson.	Woods.

Absent.

Bledsoe.

The bill was laid before the Senate ate, read third time and, on motion of Senator Johnston was passed finally.

#### Senate Bill No. 36.

The Chair laid before the Senate on second reading:

S. B. No. 36, A bill to be entitled "An Act making it the duty of all owners or operators of oil or gas wells to keep books, showing accurately the amount of oil and gas produced and disposed of, with the price for which the same was sold, together with the receipts from the sales or transfer of leases or other property, and the disbursements made in connection with, or for the benefit of such business; which books shall be kept open for the inspection of the Railroad Commissioners or any accredited representative thereof, and of any stockholder or shareholder, royalty owner in said business, and requiring such

owner or operator of such oil or gas wells to report such information to the Railroad Commission of Texas for its information only, when required by the Commission to do so; further requiring any person, firm, partnership, joint stock association, corporation or other organization, domestic or foreign, operating wholly or partially within this State acting as principal or agent for another, for the purpose of drilling, owning or operating any oil or gas well, or owning or controlling leases of oil and mineral rights or the transportation of oil or gas by pipe lines, to immediately file with the Railroad Commission of Texas, at Austin, the name of the company or organization, giving the name and postoffice address of the organization, and the names of postoffice addresses of the officers and directors thereof; fixing the penalty for the violations of the provisions of this Act; fixing the salary of each Railroad Commissioner for the additional services required of said Commissioners in the administration and enforcement of the pipe line law and the oil and gas conservation law; providing the manner of payment thereof and designating the fund from which such salaries and other necessary expenses shall be paid; and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to engrossment. On motion of Senator Buchanan of Scurry, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 36 put on its third reading and final passage by the following vote:

Yeas—30.

Alderdice.	Hall.
Bailey.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry	Johnston.
Caldwell.	McNealus.
Carlock.	Page.
Clark.	Parr.
Cousins.	Rector.
Dayton.	Smith.
Dean.	Strickland.
Dorough.	Suiter.
Dudley.	Westbrook.
Faust.	Williford.
Floyd.	Witt.
Gibson.	Woods.



**Absent.**

Bledsoe.

The bill was laid before the Senate, read third time and, on motion of Senator Buchanan of Scurry, was passed by the following vote:

**Yeas—27.**

Alderdice.	Hopkins.
Bailey.	Johnston.
Buchanan of Bell.	McNealus.
Buchanan of Scurry	Page.
Caldwell.	Parr.
Carlock.	Rector.
Clark.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Witt.
Floyd.	Woods.
Gibson.	

**Absent.**

Bledsoe.	Hall.
Cousins.	Hertzberg.

**Senate Bill No. 130.**

The Chair laid before the Senate on second reading:

S. B. No. 130, A bill to be entitled "An Act to make certain emergency appropriations out of the general revenue for the Texas Ranger force for the fiscal years ending August 31, 1919; and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Caldwell, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 130 put on its third reading and final passage by the following vote:

**Yeas—24.**

Alderdice.	Faust.
Bailey.	Floyd.
Buchanan of Bell.	Gibson.
Buchanan of Scurry	Hall.
Caldwell.	Hopkins.
Carlock.	Johnston.
Clark.	Page.
Cousins.	Rector.
Dayton.	Smith.
Dean.	Williford.
Dorough.	Witt.
Dudley.	Woods.

**Nays—5.**

McNealus.	Suiter.
Parr.	Westbrook.
Strickland.	

**Absent.**

Bledsoe.	Hertzberg.
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The bill was laid before the Senate, read third time and, on motion of Senator Caldwell was passed by the following vote:

**Yeas—21.**

Alderdice.	Floyd.
Bailey.	Gibson.
Buchanan of Scurry	Hopkins.
Caldwell.	Johnston.
Clark.	Page.
Faust.	Rector.
Dayton.	Smith.
Dean.	Williford.
Dorough.	Witt.
Dudley.	Woods.
Carlock.	

**Nays—5.**

McNealus.	Suiter.
Parr.	Westbrook.
Strickland.	

**Absent.**

Bledsoe.	Hall.
Buchanan of Bell.	Hertzberg.
Cousins.	

**House Bill No. 96.**

The Chair laid before the Senate on second reading:

H. B. No. 96, A bill to be entitled "An Act to amend Section 1, Chapter 150, Acts of the General Laws of the State of Texas, passed by the Thirty-sixth Legislature, denominated 'An Act to amend Section 1, 2, 3, 4 and 5 of Chapter 35, Acts of the Twenty-ninth Legislature, which is an act to regulate the sale of cocaine and other drugs,' \* \* etc. The amended section providing for the regulation of the sale of cocaine and other drugs, regulating the issuance of prescriptions for such drugs, requiring persons selling such drugs upon prescriptions to file the same; and to provide further that the provisions concerning the sale of such drugs shall not apply to sales by wholesale jobbers, wholesalers and manufacturers to retail druggists, nor to sales at retail druggists to regular practitioners of medicine, dentistry or veterinary medicine, nor

sales made to manufacturers of proprietary or pharmaceutical preparations for use in the manufacture of such preparations; nor the sales to hospitals, colleges, scientific or public institutions, and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to its third reading.

On motion of Senator Faust, the constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 96 put on its third reading and final passage by the following vote:

Yeas—27.

Alderdice.	Hopkins.
Bailey.	Johnston.
Buchanan of Bell.	McNealus.
Buchanan of Scurry.	Page.
Caldwell.	Parr.
Carlock.	Rector.
Clark.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Williford.
Faust.	Witt.
Floyd.	Woods.
Gibson.	

Absent.

Bledsoe.	Hall.
Cousins.	Hertzberg.

The bill was laid before the Senate, read third time and, on motion of Senator Faust was passed finally.

#### Senate Bill No. 52.—House Amendments Concurred In.

Senator Dean called up for consideration of House amendments to:

S. B. No. 52 making appropriations for the Commission of Appeals, etc.

The following House amendment was laid before the Senate:

Amend Senate Bill No. 52 by striking out the figures "1922" wherever they appear in said bill and insert in lieu thereof the figures "1921."

The above amendment was concurred in on motion of Senator Dean.

#### Message from the House.

Hall of the House of Representatives,  
Austin, Texas, July 17, 1919.

Lieutenant Governor W. A. Johnson,  
President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

S. B. No. 62, A bill to be entitled "An Act to amend Section 1 of a special Act, entitled, 'An Act enlarging and giving boundaries of Independent School District No. 1, Sterling County for school purposes, making such old district subject to schoolhouse bonds outstanding, and providing for a board of equilization for said district, and defining its duties, etc., and declaring an emergency.'"

S. B. No. 120, A bill to be entitled "An Act creating the Academy Consolidated School District out of the following Common School Districts in Bell County, Texas, and declaring an emergency."

H. B. No. 193, A bill to be entitled "An Act to amend Section 2 of House Bill No. 195, enacted by the Fourth Called Session of the Thirty-fifth Legislature, amending and revising the metes and bounds of the Nixon Independent School District."

H. B. No. 167, A bill to be entitled "An Act to release soldiers, sailors and marines from any and all penalties, costs and charges which may be assessed against them by reason of nonpayment of any taxes, general or special, due upon any property, personal, real or mixed, belonging to them during their term of service in the war between the Imperial German Government and the United States, beginning on April 6, 1917, and ending in June, 1919; and providing for a method by which said fees, costs or penalties may be released by the tax collector and by the Comptroller, and declaring an emergency."

House has postponed indefinitely, Senate Bill No. 26, and Senate Bill No. 39.

Respectfully submitted,

T. B. REESE.

Chief Clerk, House of Representatives.

#### Bills Read and Referred.

The Chair, Lieutenant Governor Johnson, had referred after their

captions had been read, the following House bills:

H. B. No. 193, referred to the Committee on Educational Affairs.

H. B. No. 167 referred to the Committee on Civil Jurisprudence.

### Senate Bill No. 73.

The Chair laid before the Senate on second reading:

S. B. No. 73, A bill to be entitled "An Act to provide an adequate method of regulating the practice of civil engineering and surveying in the State; defining civil engineering and surveying; creating a Board of Engineering Examiners and prescribing its powers, duties and compensation; providing for a special fund to be derived from fees; providing for certificates of registration and for examinations and licensing civil engineers and surveyors; defining the qualifications of civil engineers and surveyors; prescribing the mode and manner of holding examinations, and the form of licenses; authorizing the issuance of licenses without examination under certain conditions; etc., and declaring an emergency."

The committee report carrying amendments was adopted.

Senate Bill No. 73 pending.

### Recess.

At 6:58 o'clock p. m., on motion of Senator Clark, the Senate recessed until 10 o'clock tomorrow morning.

### After Recess.

(Afternoon Session.)

The Senate was called to order pursuant to recess, by Lieutenant Governor Johnson.

### Adjournment.

At 10:01 o'clock a. m., the Senate on motion of Senator Dean, adjourned until 10:05 o'clock a. m. today.

### APPENDIX.

#### Petitions and Memorials.

Senator McNealus offered a letter

from A. L. Wolff & Co., of Dallas, requesting his support of bill requiring cotton to be placed under shelter.

Senator Alderdice offered a telegram from numerous citizens of Covington requesting favorable report and passage of the Covington School Bill.

Senator Witt offered a letter from F. E. Goodman, President Texas Cotton Palace Ass'n inviting the Senators to attend Cotton Palace during the period of October 26 to November 9.

Senator Hall offered a telegram from several associations of Galveston, protesting against proposed profiteering law.

Senator Carlock offered a letter from Rev. R. C. Armstrong of Ft. Worth, protesting against the soldier bonus bill.

Senator Dayton offered a petition from Dr. J. L. Dawson protesting against the soldier bonus bill.

The Chair had read a communication from the White House, to the effect that the President will give careful consideration to the invitation to address the Legislature.

### Engrossing Committee Reports.

Committee Room,  
Austin, Texas, July 17, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Engrossed Bills have had Senate Bill No. 159 carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

Committee Room,  
Austin, Texas, July 17, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Engrossed Bills have had Senate Bill No. 27 carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

Committee Room,  
Austin, Texas, July 17, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Engrossed Bills have had Senate Bill No. 114 carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

Committee Room,  
Austin, Texas, July 17, 1919.  
Hon. W. A. Johnson, President of  
the Senate.

Sir: We, your Committee on Engrossed Bills have had Senate Bill No. 109 carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

Committee Room,  
Austin, Texas, July 17, 1919.  
Hon. W. A. Johnson, President of  
the Senate.

Sir: We, your Committee on Engrossed Bills have had Senate Bill No. 88 carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

Committee Room,  
Austin, Texas, July 17, 1919.  
Hon. W. A. Johnson, President of  
the Senate.

Sir: We, your Committee on Engrossed Bills have had Senate Bill No. 107 carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

Committee Room,  
Austin, Texas, July 17, 1919.  
Hon. W. A. Johnson, President of  
the Senate.

Sir: We, your Committee on Engrossed Bills have had Senate Bill No. 160 carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

Committee Room,  
Austin, Texas, July 17, 1919.  
Hon. W. A. Johnson, President of  
the Senate.

Sir: We, your Committee on Engrossed Bills have had Senate Bill No. 116 carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

Committee Room,  
Austin, Texas, July 17, 1919.  
Hon. W. A. Johnson, President of  
the Senate.

Sir: We, your Committee on Engrossed Bills have had Senate Bill No. 161 carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

Committee Room,  
Austin, Texas, July 17, 1919.  
Hon. W. A. Johnson, President of  
the Senate.

Sir: We, your Committee on Engrossed Bills have had Senate Bill

No. 164 carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

#### Committee Reports.

Committee Room,  
Austin, Texas, July 17, 1919.  
Hon. W. A. Johnson, President of  
the Senate.

Sir: We, your Committee on Educational Affairs to whom was referred House Bill No. 115 have had same under consideration, and I am instructed to report it favorably with the recommendation that it do pass, and that it be not printed.

ALDERDICE, Chairman.

Committee Room,  
Austin, Texas, July 17, 1919.  
Hon. W. A. Johnson, President of  
the Senate.

Sir: We, your Committee on Educational Affairs to whom was referred House Bill No. 176 have had same under consideration, and I am instructed to report it favorably with the recommendation that it do pass, and that it be not printed.

ALDERDICE, Chairman.

Committee Room,  
Austin, Texas, July 17, 1919.  
Hon. W. A. Johnson, President of  
the Senate.

Sir: We, your Committee on Educational Affairs to whom was referred House Bill No. 179 have had same under consideration, and I am instructed to report it favorably with the recommendation that it do pass, and that it be not printed.

ALDERDICE, Chairman.

Committee Room,  
Austin, Texas, July 17, 1919.  
Hon. W. A. Johnson, President of  
the Senate.

Sir: We, your Committee on Educational Affairs to whom was referred House Bill No. 101 have had same under consideration, and I am instructed to report it favorably with the recommendation that it do pass, and that it be not printed.

ALDERDICE, Chairman.

Committee Room,  
Austin, Texas, July 17, 1919.  
Hon. W. A. Johnson, President of  
the Senate.

Sir: We, your Committee on Educational Affairs to whom was referred

House Bill No. 151 have had same under consideration, and I am instructed to report it favorably with the recommendation that it do pass, and that it be not printed.

ALDERDICE, Chairman.

(Floor Report.)

Senate Chamber,  
Austin, Texas, July 17, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred House Bill No. 169, have had same under consideration and beg leave to report the same back to the Senate with the recommendation that it do pass and be not printed.

Woods, Chairman; Clark Williford, Caldwell, Carlock.

(Floor Report.)

Senate Chamber,  
Austin, Texas, July 17, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred

H. B. No. 158, A bill to be entitled "An Act to create a more efficient road law for Blanco County, Texas, and to provide for the appointment of a superintendent of public roads, highways and bridges for Blanco County, and to provide his qualifications, terms of office and salary, defining his duties and powers, and providing for punishment for violation of his duties; providing certain duties and powers of the commissioners court of said county, and fixing the compensation for the commissioners for inspecting the roads in their respective precincts; providing for the appointment of road overseers, defining their duties, fixing their compensation for certain labor, and providing for punishment for violation of their duties; providing for persons subject to road duty in Blanco County, and persons summoned to work the roads in said county to have the right to be relieved from the discharge of such duty upon the payment of specific sums of money herein stipulated, and providing for the accounting for, and disposition to be made, of the money so paid; limiting the purpose for which road and bridge funds shall be used; authorizing the work-

ing of county convicts upon all public roads, and providing for the payment of officers fees; providing that delinquent poll tax payers shall be subject to five days road duty; requiring the tax collector of Blanco County to furnish the commissioners court a list of all persons who fail to pay their poll tax; providing for the condemnation of any lands needed for the widening, straightening, changing, draining or constructing public roads, providing for the taking of timber, gravel, clay, earth, stone, or other material, for the making or improving of public roads and bridges; providing for the method in which payments shall be made for road work in Blanco County; providing for penalties for violation of the provisions of this Act; providing that this Act be cumulative of the General Law; repealing Chapter LIV of the Acts of the Twenty-eighth Legislature of the State of Texas entitled 'An Act to create a more efficient road system for Blanco County, Texas,' and declaring an emergency."

Have had same under consideration and beg to report said bill back to the Senate with the recommendation that it do pass and be not printed.

Woods, Chairman; Clark, Williford, Caldwell, Carlock.

(Floor Report.)

Senate Chamber,  
Austin, Texas, July 17, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred House Bill No. 88, have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass and be not printed.

Woods, Chairman; Clark, Williford, Caldwell, Carlock.

Committee Room,  
Austin, Texas, July 17, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Educational Affairs, to whom was referred House Bill No. 130, have had same under consideration, and I am instructed to report it favorably with

the recommendation that it do pass, and that it be not prined.

ALDERDICE, Chairman.

Committee Room,  
Austin, Texas, July 17, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Educational Affairs, to whom was referred House Bill No. 144, have had same under consideration, and I am instructed to report it favorably with the recommendation that it do pass, and that it be not prined.

ALDERDICE, Chairman.

Committee Room,  
Austin, Texas, July 17, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Educational Affairs, to whom was referred House Bill No. 136, have had same under consideration, and I am instructed to report it favorably with the recommendation that it do pass, and that it be not prined.

ALDERDICE, Chairman.

Committee Room,  
Austin, Texas, July 17, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Educational Affairs, to whom was referred House Bill No. 157, have had same under consideration, and I am instructed to report it favorably with the recommendation that it do pass, and that it be not prined.

ALDERDICE, Chairman.

Committee Room,  
Austin, Texas, July 17, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Educational Affairs, to whom was referred House Bill No. 134, have had same under consideration, and I am instructed to report it favorably with the recommendation that it do pass, and that it be not prined.

ALDERDICE, Chairman.

Committee Room,  
Austin, Texas, July 17, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Educational Affairs, to whom was referred House Bill No. 24, have had same under consideration, and I am instructed to report it favorably with

the recommendation that it do pass, and that it be not prined.

ALDERDICE, Chairman.

Committee Room,  
Austin, Texas, July 17, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Educational Affairs, to whom was referred House Bill No. 150, have had same under consideration, and I am instructed to report it favorably with the recommendation that it do pass, and that it be not prined.

ALDERDICE, Chairman.

(Floor Report.)

Senate Chamber,  
Austin, Texas, July 17, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Roads, Bridges and Ferries to whom was referred

H. B. No. 180, A bill to be entitled "An Act adding to Chapter 17 of the Harris County road law passed by a regular session of the Thirty-third Legislature of the State of Texas, a new section to be known as Section 30a; authorizing the commissioners court of Harris County, Texas for the purpose of furthering proper maintenance of the roads in Harris County, Texas; to invest the sinking fund in retiring anticipation warrants, and to provide for the refund of same by said county, and declaring an emergency."

Have had same under consideration, and beg leave to report same back to the Senate with the recommendation that it do pass and be not printed.

Woods, Chairman; Clark, Williford, Strickland, Carlock.

(Floor Report.)

Senate Chamber,  
Austin, Texas, July 17, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred

H. B. No. 127, A bill to be entitled "An Act to create a county highway board for Rains County, prescribing their qualifications, duties, and declaring an emergency."

Have had the same under consideration and beg leave to report it

back to the Senate with recommendation that it do pass and be not printed.

Woods, Chairman; Clark, Williford, Strickland, Carlock.

(Floor Report.)

Senate Chamber,  
Austin, Texas, July 16, 1919.  
Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Public Printing, to whom was referred

H. B. No. 78, A bill to be entitled "An Act to create the Board of Public Printing, provide for a secretary who shall also be the State Expert Printer, and fixing his salary, providing clerical help for the State Expert Printer, to provide for the letting of contracts for printing, binding and furnishing stationery and other supplies, to authorize the Secretary of State to employ the necessary help for the expenditures printing and mailing of the laws, to repeal all laws and parts of laws in conflict herewith, and declaring an emergency,"

Have had same under consideration and beg leave to report back to the Senate with the recommendation that it do pass and be not printed.

FLOYD, Chairman.  
WESTBROOK.  
WITT.

(Floor Report.)

Senate Chamber,  
Austin, Texas, July 17, 1919.  
Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Mining and Irrigation to whom was referred House Bill No. 40, have had the same under consideration and recommend that it do pass and be not printed.

Dudley, Chairman; Parr, Buchanan of Scurry, Faust.

Committee Room,  
Austin, Texas, July 17, 1919.  
Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Educational Affairs to whom was referred

H. B. No. 148, A bill to be entitled "An Act providing for the consolidation of Common School Districts one with another, and for the consolidation of Common School Districts with Independent School Districts, defining ways and means whereby such con-

solidation may be effected, and providing for the organization and control of such consolidated districts, and providing for the assumption of all outstanding bonded indebtedness and preserving the bonding and taxing powers of said district, and declaring an emergency,"

Have had same under consideration, I am instructed to report it favorably with the recommendation that it do pass, and be not printed, but that it be printed in the Journal.

ALDERDICE, Chairman.

By Schlosshan. H. B. No. 148.

### A BILL To Be Entitled

An Act providing for the consolidation of Common School Districts one with another, and for the consolidation of Common School Districts with Independent School Districts, defining ways and means whereby such consolidation may be effected, and providing for the organization and control of such consolidated districts, and providing for the assumption of all outstanding bonded indebtedness and preserving the bonding and taxing powers of said district, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That when any number of contiguous Common School Districts within this State, desiring to consolidate for school purposes, present a petition to the county judge of the county wherein such districts are situated, signed by twenty or a majority of the legally qualified voters of each districts so desiring to consolidate, the county judge shall issue an order for an election to be held in each of the common school districts so petitioning, which elections shall be held on the same date. The county judge shall give notice of the date of such elections by publication of the order in some newspaper published in the county, for twenty days prior to the date on which such elections are ordered, or by posting a notice of such elections in each of the districts, or by both such publication and posted notices.

The Commissioners' Court of the county in which such elections are held shall at its next meeting canvass the returns of such elections, and if

the votes cast in each and all districts show a majority in favor of the consolidation of such common school districts, the Commissioners' court shall declare such common school districts consolidated, said districts being contiguous territory.

It is herein provided that in the same maner as is described in Section 1, common school districts may be consolidated with contiguous Independent School Districts, and that when common school districts are so consolidated with an independent school district, the district so created shall be known by the name of the independent school district included therein, and the management of the new district shall be under the existing board of trustees of the Independent District, and that all the rights and privileges granted to independent districts by the laws of this State shall be given to the consolidated independent districts created under the provisions of this Act.

The term "district" as hereinafter used shall be construed to mean "consolidated common school district," or "consolidated independent school district," as the case may be.

Sec. 2. If at the time of such proposed consolidation there are outstanding bonds of any one or more of the districts proposed to be consolidated, then at an election held for that purpose on some future day, there shall be, or at the election held for the purposes of consolidation, there may be submitted to the qualified tax paying voters of such proposed consolidated district the question as to whether or not the said consolidated district shall assume and pay off the said outstanding bonds and whether or not a tax shall be levied therefor, provided that if said election on the question of assuming said outstanding bonds is held on the day which the election on the question of consolidation is held, in that event, there shall be separated notices, ballots, and ballot boxes and tally sheets for the two separate elections. If a majority of said voters should vote at either of said elections to assume and pay off said bonded indebtedness, then said bonded indebtedness shall become valid and subsisting obligations of said consolidated district, and the proper officers thereof shall annually thereafter levy sufficient taxes to pay the interest thereon as it accrues and to create

a sinking fund which in addition to the sinking funds already accumulated in the original bonded district or districts will pay off and retire the said outstanding bonds when they shall become due.

Sec. 3. The Board of County School Trustees at its next meeting after such consolidation of school districts is declared shall appoint a board of seven trustees for the consolidated district. The terms of office of three of the trustees so appointed shall expire on the first day of May next following their appointment, and the terms of office of the other four trustees shall expire on the first day of May of the succeeding year, the trustees so appointed to determine by lot which three trustees shall serve the short term and which four of their number shall serve the long term, and each year thereafter alternately three trustees and four trustees shall be elected by the qualified voters of the district on the first Saturday of April of every year, which trustees so elected shall enter upon the discharge of their duties on the first day of May next following. District trustees shall qualify by taking the oath of office required of all State Officers in this State, which oaths shall be filed with the county superintendent of the county wherein the district is situated. The board of trustees after being qualified shall immediately organize by electing one of their number president and another secretary, a report of which organizations shall be filed with the county superintendent. Trustees so elected shall each serve for two years from the first day of May of the year in which they are elected or until their successors are elected and qualified, and in case a vacancy is created in any board of district trustees by resignation or otherwise, the board of county school trustees shall fill such vacancy by appointment, which appointment shall extend to the time of the next regular election for district trustees.

Sec. 4. The board of trustees of the district shall appoint three persons, qualified voters of the district, to hold election for district trustees, who shall make returns thereof to the board of trustees of the districts within five days after such election shall have been held, the three persons holding such election shall receive as compensation for their services the



sum of two dollars each, to be paid out of the general fund of the county in which said election was held. The board of trustees when ordering such election and appointing persons to hold election shall give notice of the time and place where such election will be held, which notice shall be posted in three public places in the district twenty days prior to the date on which such election is ordered to be held. If at the time and place for holding such election, any or all of the persons so appointed to hold such election are absent or refuse to act, then the electors present may select of their number a person or persons to act in the place of those absent or refusing to act.

No person shall be eligible to serve as school trustee who is unable to read and write the English language understandingly, and who has not been a resident of the State one year and of the district six months prior to the election for trustees.

Section 5. The board of trustees so elected shall employ a district superintendent for the district, who shall be elected for one year or for two years as the trustees may determine, and who, in addition to this duties as superintendent, shall be a teacher in one of the elementary schools or the high school of the district. Acting in collaboration with the district superintendent, the board of trustees shall employ teachers for the several elementary schools of the district, for the departments of the high school, which teachers shall be elected for one year or two years as the trustees decide, and they shall serve under the direction and supervision of the district superintendent. Contracts between the trustees and the district superintendent and teachers shall be in writing and subject to the approval of the county superintendent of the county wherein such district is situated.

Section 6. It shall be the duty of the district superintendent to visit personally and inspect the several schools of the district and advise with the teachers therein, and he shall be responsible to the district trustees and to the county superintendent for the proper conduct of the school work and the management of the schools of the district. The district superintendent shall spend at least one-fourth of his time visiting and inspecting the schools of the district,

and he shall make recommendations from time to time to the district trustees and to the county superintendent for any changes which in his judgment are necessary for the proper management of the schools of the district. The district superintendent shall keep such records and make such reports as are required of him by the district trustees and the county superintendent, and the county superintendent shall refuse to approve vouchers drawn against the school funds of the district until such reports are made by the district superintendent.

Sec. 7. The district trustees shall recognize or establish elementary schools within the bounds of the district as the need for such elementary schools shall appear. They shall, in so far as is practicable, provide uniform school buildings and equipment for the several elementary schools so recognized or established, and they shall arrange an annual wage schedule for the teachers employed in such elementary schools as nearly uniform as possible. It is herein expressly provided that the instruction in the elementary schools of the district shall embrace, not more than the first seven grades or years of work as outlined in the course of study issued by the State Superintendent of Public Instruction for this State and approved by the county superintendent of the county wherein such elementary schools are situated.

Sec. 8. The trustees of the district may recognize or establish not more than one high school for white children and one high school for colored children within the limits of the district, which high schools shall be located with reference to the convenience of the majority of the high school pupils of either race. It is herein provided that the instruction in such high schools may embrace any or all of the four years or grades or work above the seventh grade, as outlined by the State Superintendent of Public Instruction for this State and approved by the county board of trustees of the county wherein such high schools are situated. It is herein further provided that such high school may be located and conducted in connection with some of the elementary schools of the district as may be decided by the trustees of the district.

When in their judgment it is

deemed necessary or expedient, the trustees of the district may provide for the transportation of pupils to and from any elementary school or high school of the district whereupon such pupils may be in attendance, and trustees are hereby empowered to employ transportation vehicles and drivers for such services, paying the cost thereof out of the local maintenance fund of the district or out of such other fund as may be appropriated for this purpose.

Sec. 9. It is herein expressly provided that taxing and bonding powers as are provided for elsewhere in the laws of this State are hereby guaranteed to the district consolidating under the provisions of this Act, either common school districts or independent school districts, and it is further provided that rural school aid shall be extended to any or all of the schools of the districts so consolidating which comply with the laws and rulings governing the distribution of State aid to rural schools and independent districts. It is further guaranteed that the law providing free text books to the free schools of this State shall apply to the districts consolidating under the provisions of this Act. Appeals from consolidated common school districts shall be made to the county superintendent and Board of Education.

Sec. 10. All laws and parts of laws in conflict with this Act are hereby repealed.

Sec. 11. The fact that there is now no adequate law in this State governing the consolidation of school districts, and the further fact that such a law would standardize and strengthen the organization and supervision of public schools within this State, creates an emergency and imperative public necessity requiring the suspension of the constitutional rule that bills be read on three several days and that this bill take effect from and after its passage and it is so enacted

(Floor Report.)

Senate Chamber,  
Austin, Texas, July 17, 1919.  
Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Public Health, to whom was referred H. B. No. 96, A bill to be entitled "An Act to amend Section 1, Chap-

ter 150, Acts of the Generals Laws of the State of Texas, passed by the Thirty-sixth Legislature, denominated 'An Act to amend Sections 1, 2, 3, 4, and 5 of Chapter 35, Acts of the Twenty-ninth Legislature which is an Act to regulate the sale of cocaine and other drugs; etc.,'

Have had the same under consideration and beg leave to report same back to the Senate with the recommendation that it do pass and be not printed.

McNealus, Chairman, Clark, Carlock, Floyd, Smith, Hall, Buchanan of Bell.

(Floor Report.)

Senate Chamber,  
Austin Texas, July 17, 1919.  
Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Roads, Bridges and Ferries, to whom was submitted

H. B. No. 56, A bill to be entitled "An Act to amend Article 6923, Chapter 3, Title 119, Revised Civil Statutes of the State of Texas, 1911, providing that the Commissioners Court in each county fix the amount to be collected by road overseers from road hands in lieu of service, and declaring an emergency,"

Have had same under consideration and beg leave to report it back to the Senate with the recommendation that it do pass, and be printed in the Journal only.

Respectfully submitted,  
Woods, Chairman; Clark, Williford, Caldwell, Carlock.

By McDowra. H. B. No. 56.

A BILL  
To Be Entitled

An Act to amend Article 6923, Chapter 3, Title 119, Revised Civil Statutes of the State of Texas, 1911, providing that the Commissioners Court in each county fix the amount to be collected by road overseers from road hands in lieu of service and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Article 6923, Chapter 3, Title 119 of the Revised Civil Statutes of 1911, be so amended as to hereafter read as follows:

Article 6923. Every person liable to work on the roads by paying to his

road overseer at any time before the day appointed to work on the road such sum as may be fixed by the Commissioners Court at the time it fixes and levies the tax rate of the county, such sum not to exceed \$2, for each day he is summoned to work shall be exempt from working on each day so paid for and also exempt from any penalties for failure to work for the time for which he has paid.

Sec. 2. The fact that the Commissioners' Court will sit the first of August to levy taxes and fix the tax rate creates an emergency and imperate public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and it is hereby so ordered.

Committee Room,  
Austin, Texas, July 17, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Agriculture to whom was referred

H. B. No. 102, A bill to be entitled "An Act regulating the sale of and defining agricultural and garden seeds and mixed seeds; requiring their proper labeling; prohibiting mixture of seeds unless so labeled; providing for the collection of samples and their examination; defining noxious weeds and foreign matter; providing that certificates of analysis by the Commissioner of Agriculture shall be prima facie evidence in certain cases and regulating the measures of damages; designating an officer for the enforcement of the law, and fixing penalties for its violation."

Have had same under consideration, and beg leave to report it back to the Senate with recommendation that it do pass with Senate Committee amendments, and that it be not printed in bill form, but printed in the Journal.

SMITH, Chairman.

(Senate Committee Amendments to House Bill No. 102.)

Add to section 1 between words "alfalfa" and "clovers" in line 2, engrossed bill, the words "Irish potatoes" and "sweet potatoes".

Page 2, line 8, the word "cocalus" should read "convolvulus".

Page 2, line 8, the word "belianthus" should read "heliathus".

Page 2, line 19, which reads "such a seed is a mixture" should read "such seed is a mixture".

Page 2, line 29, where it says "percentage or purity", this should read "the percentage of purity".

Page 3, line 20, where it says "vendor or party interest" should read "vendor or parties interested."

Page 3, line 32, where it says "vendor or party interest", should read "vendor or parties interested."

Page 5, section 9, line two from the bottom after the word "seed" by adding thereto the following before the word "as" "grown on his farm".

#### A BILL

To be entitled

"An Act regulating the sale of and defining agricultural and garden seeds and mixed seeds; requiring their proper labeling; prohibiting mixture of seeds unless so labeled; providing for the collection of samples and their examination; defining noxious weeds and foreign matter; providing that certificate of analysis by the Commissioner of Agriculture shall be prima facie evidence in certain cases and regulating the measures of damages; designating an officer for the enforcement of the law, and fixing penalties for its violation.

Be it enacted by the Legislature of the State of Texas:

Section 1. For the purpose of this Act agricultural seeds are defined as the seeds of alfalfa, clovers, corn, cotton, saccharine sorghums, non-saccharine sorghums, broom corn, small grains, (including rice), cowpeas, soybeans, velvet beans, peanuts, vetch, rape, millet, Johnson grass, Bermuda grass, Kentucky blue grass, orchard grass, sudan grass, onion and Rhodes grass, which are to be used for sowing or seeding purposes.

Sec. 2. Agricultural seeds, except as herein otherwise provided, which are offered or exposed for sale within this State for seeding purposes, in lots of ten (10) pounds or more, shall bear a plainly written or printed statement in the English language stating:

(a) Commonly accepted name of agricultural seed.

(b) Correct weight in pounds and ounces.

(c) Name of State where seed was grown, and if unknown, a statement that the locality where grown is unknown.

(d) Approximate percentage of germible seed as determined by germination test and date on which germination test was made.

Name and address of person, firm or party or agency making the germination test, provided however, that the statement shall not be a basis for prosecution under this Act.

(e) Name and address of vendor.

(f) The approximate percentage, by weight, or purity, meaning freedom of such agricultural seed from foreign matter and from other seed distinguishable by their appearance.

(g) The approximate total percentage, by weight, of weed seeds or other foreign matter.

(h) The name and the approximate number per pound of each kind of the seed of the following named noxious weeds which are present at the rate of or in excess of, one such noxious weed seed in five (5) grams of agricultural seed. Such noxious weed seed are defined as seeds of dodder (*cascuta*, various species), bind weed or wild morning glory (*concolcalus*, various species) blue weed (*belianthus cilistus*), wire grass (*Pasplum distichum*). Bermuda grass (*cynodon dactylon* L.) Johnson grass, (*Andropogan Halotensis*), and all other seeds or foreign matter known (by science), to be noxious are hereby defined as noxious weed seeds.

Sec. 3. Mixtures of seeds offered or exposed for sale within the State for seeding purposes, in lots of ten (10) pounds or more, containing one or more kinds of the agricultural seeds defined in Section 2 of this Act in excess of five per centum, by weight, of the total mixture shall bear a plainly written or printed statement in English language, stating:

(a) That such a seed is a mixture.

(b) The approximate percentage, by weight, of inert matter.

(c) The requirements providing in paragraphs (c), (g) and (h) of Section 2, of this Act.

Sec. 4. The provisions of this Act shall not apply to agricultural seeds, or mixtures of seeds, as defined in Section 3, of this Act, when plainly labeled, "not clean seed," or "not tested seed" nor "seeds sold to merchants to be recleaned before being sold or exposed for sale for seeding

purposes, or when in storage for the purpose of recleaning."

Sec. 5. The percentage or purity of agricultural seed and the mixture as defined in this Act, and other percentages required by this Act shall be based upon a test or analysis, conducted either by the Commissioner of Agriculture, or his assistants, or by the vendor of the agricultural seed, or "mixtures", or his agents; provided that such test or analysis is made by the vendor or his agents shall conform to the reasonable regulations which said Commissioner of Agriculture is hereby authorized and directed to prescribe, or shall conform to the reasonable regulations or methods of testing adopted or used by the Association of Official seed analysis of the United State Department of Agriculture.

Sec. 6. Whoever buys or sells agricultural seeds, defined in Section 1, of this Act, or mixtures of seeds as provided in Section 3, of this Act, for the use in this State for seeding purposes, may submit fair samples of such seeds to the Commissioner of Agriculture for examination, and test of purity and of viability, and said Commissioner of Agriculture shall cause such examination and test to be promptly made, and report thereon, and return to the sender. For the test of purity, said Commission of Agriculture shall charge a fee of twenty-five cents for the examination of each sample, and for a test of vitality, a fee of twenty-five cents, either or both of which fees shall be payable in advance, provided that these tests shall be made free of charge to the citizens of this State. All money received from receipt of such fees shall be paid into the Treasury of the State, to be credited to the funds of the Department of Agriculture.

Sec. 7. The enforcement of this Act shall be entrusted to the Commissioner of Agriculture, and he is authorized in person or by his inspectors, or assistants to take for analysis, paying the reasonable purchase price, a sample not exceeding four ounces in weight, from any lot of agricultural seeds or "mixtures" offered or exposed for sale; provided that said samples shall be drawn or taken in the presence of the vendor or parties in the interest, or his or their agents or representatives, and shall not be less than ten per cent of

the whole lot inspected and shall be thoroughly mixed and then divided into two samples and placed in glass or metal vessels or containers, carefully sealed and a label placed on each vessel stating the name of the agricultural seed or mixture sampled, the name of the vendor from whose stock said samples were taken, and the date and place of taking such samples, and said label shall be signed by said Commissioner of Agriculture, or his authorized agent; or said sample may be taken in the presence of the disinterested witness if the vendor or party in interest fails or refuses to be present, when notified. One of said duplicate samples shall be left with or on the premises of the vendor or party in interest, and the other retained by the Commissioner of Agriculture, for analysis and comparison with the labels required by Sections 2 and 3 of this Act.

The Commissioner of Agriculture shall annually and prior to December 1st, make and submit to the Governor a report of the services performed by him or his assistants, together with an itemized account of all moneys paid out as authorized under this Act.

Sec. 8. Whoever offers or exposes for sale within this State any agricultural seed, defined in Section 1 of this Act, without complying with the requirements of Sections 2 and 3 of this Act, or whoever falsely marks or labels any agricultural seeds under Section 2, of this Act, or "mixture" under Section 3 of this Act, or whoever shall prevent the Commissioner of Agriculture, or his duly authorized agents from inspecting said seeds and collecting samples as provided in Section 7 of this Act, shall be guilty of a misdemeanor and upon conviction shall be fined not more than one hundred dollars; provided, however, that no prosecution for violation of this Act shall be instituted except in the manner following:

When the Commissioner of Agriculture believes, or has reason to believe, that any person has violated any of the provisions of Section 2, 3 and 8 of this Act, he shall cause notice of such fact together with full specification of this Act or omission constituting the violation, to be given to said person, who either in person or by agent or attorney, shall

have the right under such reasonable rules and regulations as may be prescribed by said Commissioner of Agriculture to appear before said Commissioner of Agriculture and introduce evidence, and said hearing shall be private. If, after said hearing or without such hearing, in case said person fails or refuses to appear, said Commissioner shall decide and decree that any, or all of said specifications have been proven to his satisfaction, he may in his discretion so certify to the proper prosecuting law officer for violation of this Act, transmitting with said certificate a copy of the specification and such other evidence as he shall deem necessary and proper, whereupon said prosecuting attorney shall prosecute said person according to law.

Sec. 9. No action for the recovery of damages or any liability whatsoever for any violation of any of the provisions of this Act, or for the breach of any legal duty or obligation in the sale of the agricultural seeds defined in Section 1 of this Act, or the sale of mixtures defined in Section 3 of this Act shall be maintained by the buyer and against the vendor of such seeds, unless the claim or claims of such buyer are based upon properly drawn samples of such seed, from the bulk thereof, and examined in the way and manner provided in Section 6 of this Act; provided, that none of the provisions of this Act shall affect any right accruing prior to the time when this Act shall go into effect; provided that nothing in this Act shall be construed as preventing one farmer from selling to another farmer such seed as covered by the provisions of this Act without having said seed tested and labeled as provided herein.

Sec. 10. The result of the analysis and tests of seed made by the Commissioner of Agriculture of samples drawn by him or his inspectors may at his discretion, be published in his report.

Sec. 11. There shall be appropriated annually from the State Treasury, the sum of \$..... is favor of the Department of Agriculture and the same together with the fees provided for in Section 6 of this Act, may be expended in the enforcement of this Act. So much of said appropriation and the moneys

secured as fees for tests and analysis of seed after first exhausting the moneys secured from the collection of the fees as herein provided for shall be paid to the Commissioner of Agriculture as he may show by his bills has been expended in performing the duties required by this Act.

Sec. 12. The words, "persons," "vendor" and "party" in interest and "whoever" as used in this Act shall be construed to impart both the plural and singular, as the case demands, and shall include corporations, companies, societies and individuals.

Sec. 13. This Act shall take effect ninety days after its approval by the Governor of the State.

### TWENTY-FIRST DAY.

Senate Chamber,  
Austin, Texas.

Friday, July 18, 1919.

The Senate met at 10:05 o'clock, a. m. pursuant to adjournment, and was called to order by Lieutenant Governor W. A. Johnson.

The roll was called, a quorum being present, the following Senators answering to their names:

Alderdice.	Hertzberg.
Bailey.	Hopkins.
Buchanan of Bell.	Johnston.
Buchanan of Scurry.	McNealus.
Caldwell.	Page.
Carlock.	Parr.
Clark.	Rector.
Cousins.	Smith.
Dean.	Strickland.
Dorough.	Suiter.
Dudley.	Westbrook.
Faust.	Williford.
Floyd.	Witt.
Gibson.	Woods.
Hall.	

Absent—Excused.

Bledsoe. Dayton.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Faust.

Excused.

Senator Bledsoe for today and for the remainder of the session on ac-

count of important business, on motion of Senator Dudley.

Senator Dayton was excused for today and for the remainder of the session on motion of Senator Carlock.

### Petitions and Memorials.

There were none today.

### Standing Committee Reports.

See Appendix.

### Bills and Resolutions.

By Senator Buchanan of Scurry:

S. B. No. 165, A bill to be entitled "An Act creating a County Court of Eastland County, Texas, at law, defining and establishing the jurisdiction of said court and defining the jurisdiction retained by the County Court of Eastland County; providing for the term and practice therein; for the election, qualification of the judge thereof and the term of same; providing for the bond, oath of said judge and for the appointment of the judge thereof. Providing for the issuance of writs and the return and service of same; providing for the appointment of jurisdiction commissioners; the selection of juries; the filling of the vacancies in the elections judges; the fees and salaries of the judge of the county court at law and of the county court of Eastland County, Texas, and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Alderdice:

S. B. No. 166 A bill to be entitled "An Act to create a common county line school district, to be under the jurisdiction, management and control of the county school board of Dallas County, Texas, to be composed of the territory described in this Act and defining the rights, powers and privileges of such district, and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

By Senator Cousins:

S. B. No. 167, A bill to be entitled